



*Minutes*

*of*

*February 1, 2010  
Board Meeting*



**Bobby Jindal**  
Governor

**State of Louisiana**  
*Louisiana State Board of Cosmetology*  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbclouisiana.gov](http://www.lsbclouisiana.gov)

---

<b>Michael-John Gaspard, Chairman</b> Metairie LA	<b>Lynn Glaze</b> Pineville LA	<b>Michael P. Horning</b> Franklinton LA	<b>Sarah H. Kennison</b> Lake Charles LA	<b>Jackie Burdette</b> Executive Director
<b>Frances K. Hand, Vice-Chairman</b> Denham Springs LA	<b>Taquilla Hamilton</b> Harvey LA	<b>Geneva L. Jones</b> Benton LA	<b>Carolyn L. Robicheaux</b> Baldwin LA	<b>Stephen Young</b> Assistant Director

---

**MINUTES OF BOARD MEETING  
FEBRUARY 1, 2010 AT 9:00 A.M.**

**CHAIRMAN OF THE BOARD:**                      **Michael-John Gaspard**                      **Absent**

**VICE-CHAIRMAN:**                                      **Frances Hand**                                      **Present**

**BOARD MEMBERS:**

<b>Lynn Glaze</b>	<b>Present</b>
<b>Taquilla Hamilton</b>	<b>Present</b>
<b>Michael Horning</b>	<b>Present</b>
<b>Geneva Jones</b>	<b>Present</b>
<b>Sarah Kennison</b>	<b>Present</b>
<b>Carolyn Robicheaux</b>	<b>Present</b>

**STAFF:**

<b>Executive Director</b>	<b>Jackie Burdette</b>	<b>Absent</b>
<b>Assistant Director</b>	<b>Steve Young</b>	<b>Present</b>
<b>Administrative Program Specialist</b>	<b>Debry Blanchard</b>	<b>Present</b>
<b>Administrative Supervisor 2</b>	<b>Melonie Broussard</b>	<b>Present</b>
<b>Administrative Coordinator 2</b>	<b>Kathryn Simpson</b>	<b>Present</b>

**BOARD ATTORNEY:**

<b>Sheri Morris</b>	<b>Present</b>
<b>Celia Cangelosi</b>	<b>Present</b>
<b>Mark Falcon</b>	<b>Present</b>

**COURT REPORTER:**                                      **Ellen Tanner**                                      **Present**

**VIETNAMESE INTERPRETER:**                                      **Natalie Washington**                                      **Present**

**I.        CALL TO ORDER**

**Vice Chairman Hand called the meeting to order.**

**II. WELCOME BOARD MEMBERS AND GUESTS**

Vice Chairman Hand welcomed the Board Members and their guests, Abraham Hamilton, Jim Haynes, Lora Moreau, Ngoc Trang Thi Nguyen, Sherrie Stockstill, Debra Ashmore, Dot Cassell, Margaret Keller, Paul Pierson, Ronald Jones, and Tien Nguyen.

**III. INVOCATION**

Taquilla Hamilton said the opening prayer.

**IV. ROLL CALL**

Seven Board Members were present, and there was a quorum. Michael-John Gaspard was absent.

**V. ACCEPTANCE OF THE AGENDA**

**Additions & Changes:**

**Add: My Le College under Schools as 2. Change of ownership from an individual to L.L.C.**

**Lovely Nails and Lien Nguyen under Consent Agreements as M. and N.**

**Carolyn Robicheaux made the motion to accept the February 1, 2010 Revised Board Meeting Agenda with additions. Michael Horning seconded, motion carried by unanimous voice vote.**

**VI. DISPOSITION OF THE JANUARY 4, 2010 BOARD MEETING MINUTES**

**Taquilla Hamilton made the motion to approve the January 4, 2010 minutes. Lynn Glaze seconded, motion carried by unanimous voice vote.**

## **VII. HEARINGS**

Taquilla Hamilton made the motion to amend the hearings A., B., and F. by transferring them to consent agreements and G. is to be continued for one month. Michael Horning seconded, motion carried by unanimous voice vote.

Taquilla Hamilton made the motion to take the hearings in an expeditious order as determined by the attorney. Michael Horning seconded, motion carried by unanimous voice vote.

- A. A Nails  
Docket No. 10-002
- B. Dung Q. Ho  
Docket No. 10-003

This item was moved from hearings to consent agreements, as O and P.

- C. Pro Nails  
Docket No. 10-004
- D. Jessica Pham  
Docket No. 10-005

Taquilla Hamilton made the motion to go into Executive Session. Michael Horning seconded, motion carried by unanimous voice vote.

Taquilla Hamilton made the motion to return to the regular board meeting. Michael Horning seconded, motion carried by unanimous voice vote.

Taquilla Hamilton read the motion into the record. Michael Horning seconded, motion carried by unanimous voice vote.  
(Attachment A)

- E. Heather Hariford  
Docket No. 10-006

Michael Horning made the motion to go into Executive Session. Carolyn Robicheaux seconded, motion carried by unanimous voice vote.

Carolyn Robicheaux made the motion to return to regular session.  
Michael Horning seconded, motion carried by unanimous voice vote.

Taquilla Hamilton read the motion into the record. Michael Horning seconded, motion carried by unanimous voice vote.  
(Attachment B)

**F. Chantal's Braiding**  
Docket No. 10-007

This item was moved under consent agreements as item Q.

**G. Hair Mirage**  
Docket No. 10-008

Taquilla Hamilton made the motion to approve the request for continuance. Michael Horning seconded, motion carried by unanimous voice vote.  
(Attachment C)

**H. C-Nay's Beauty Salon**  
Docket No. 10-009

Sarah Kennison made the motion to go into Executive Session.  
Michael Horning seconded, motion carried by unanimous voice vote.

Lynn Glaze made the motion to return to regular board meeting.  
Taquilla Hamilton seconded, motion carried by unanimous voice vote.

Taquilla Hamilton read her motion in to the record. Michael Horning seconded, motion carried by unanimous voice vote.  
(Attachment D)

**I. Ngoc Trang Thi Nguyen**  
Docket No. 10-010

Taquilla Hamilton made the motion to go into Executive Session.  
Geneva Jones seconded, motion carried by unanimous voice vote.

Carolyn Robicheaux made the motion to return to regular board meeting. Michael Horning seconded, motion carried by unanimous voice vote.

Taquilla Hamilton read the motion in the record. Michael Horning seconded, motion carried by unanimous voice vote.  
(Attachment E)

#### VIII. CONSENT AGREEMENTS

- A. Finest Nails:
- B. Ha Nguyen, Owner:
  
- C. Natural Nails:
- D. Son T. Luong:
  
- E. Tip N Toes Skin Care:
- F. Mai T. Phan:
  
- G. Solar Nails:
- H. Kim-Oanh T. Vu:
  
- I. Art Nails:
- J. Tien A. Pham:
  
- K. L. E. Gina Salon:
- L. Regina G. Cisneros:
  
- M. Lovely Nails:
- N. Lien T. Nguyen:

Michael Horning made the motion to approve consents A. thru N. Carolyn Robicheaux seconded, motion carried by unanimous voice vote.  
(Attachment F)

Copies of complete consent agreements are available for in-house review.

**O. A Nails:**

**P. Dung Q. Ho:**

Taquilla Hamilton made the motion to approve the consent agreement. Michael Horning seconded, motion carried by unanimous voice vote.  
(Attachment G)

Copies of complete consent agreements are available for in-house review.

**Q. Chantal's Braiding:**

Taquilla Hamilton made the motion to approve contingent upon receipt of the money order and signed consent agreement. Michael Horning seconded, motion carried by unanimous voice vote.  
(Attachment H)

Copy of complete consent agreement is available for in-house review.

**VIII. GUESTS**

**A. Schools:**

**1. Vanguard College of Cosmetology**

New School – Metairie LA

Taquilla Hamilton made the motion to move this item to the March 1, 2010 Board Meeting. Michael Horning seconded, motion carried by unanimous voice vote.

**2. My-Le College**

Change of ownership to L.L.C.

A financial statement, articles of incorporation, articles of organization, partnership agreement or other organizational documents must be submitted prior to the March board meeting.

**IX. NEW BUSINESS**

**A. Inspector Revenue/Expense Summary Report:**

This report was provided for board review. (Available for in-house review).

**B. Executive Director's Report:**

This report was provided for Board review.  
(Attachment I)

**C. Assistant Director's Report:**

Lynn Glaze made the motion to grant authority to Steve Young to cover per diem, expenses, purchasing, time and attendance records, payroll, hiring an Accountant 3, and anything related to finances. Michael Horning seconded, motion carried by unanimous voice vote.  
(Attachment J)

Michael Horning made the motion to cancel one air card and to not renew Technology Engineers maintenance contracts until further notice. Taquilla Hamilton seconded, motion carried by unanimous voice vote.  
(Attachment K)

Steve Young presented information to the Board on the Lathem TS100KIT Touchscreen Biometric Time System.  
Michael Horning made the motion to approve the purchase of the time clock, \$500 or less, with a touchscreen and compatible with the agency's computer. Lynn Glaze seconded, motion carried by unanimous voice vote.

Taquilla Hamilton made the motion for Mark Falcon to develop a policy implementing time clock procedures. Lynn Glaze seconded, motion carried by unanimous voice vote.



**D. 2010 School Procedure Reference:**

Lynn Glaze made the motion to approve the 2010 school procedure reference manual. Taquilla Hamilton seconded, motion carried by unanimous voice vote.

**E. Proposed Legislation:**

Michael Horning made the motion to have a special-call board meeting tentatively scheduled for Wednesday, February 10, 2010. Carolyn Robicheaux seconded, motion carried by unanimous voice vote.

This item was moved to the special-board meeting tentatively scheduled for February 10, 2010 at 9:00 a.m.

**F. Notice of Salons:**

Michael-John Gaspard to report.

This item was moved to the special-call board board meeting tentatively scheduled for February 10, 2010.

**G. Personnel Matters:**

Position of Executive Director

**NOTE:**

La. R.S. 42:6 permits the discussion of the character, professional competence, or physical or mental health of a person to be discussed in an executive session pursuant to La. R.S. 42:6 provided that such person is notified in writing at least twenty-four hours before the meeting and that such person may require that such discussion be held at an open meeting.

This item will be addressed at the special-call board meeting tentatively scheduled for February 10, 2010.

**H. Technology Engineers:**

**John Stinson and Kate Tomeny made a presentation.**

**I. Attorney's Report:**

**Louisiana State Board of Cosmetology was granted an exemption from PPM49 travel regulations which requires that they rent a car on days they will travel in excess of 99 miles.  
(Attachment L)**

**XI. ADJOURN**

**Carolyn Robicheaux made the motion to adjourn. Michael Horning seconded, motion carried by unanimous voice vote.**



# Board Order

Pro Nails

Docket No. 10-004

Jessica Pham

Docket No. 10-005



LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
PRO NAILS

DOCKET NO. 10-004

(MANICURING SALON  
NO. \*\*\*\*\*1791-0)

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

This matter came for hearing in an open meeting before the Louisiana State Board of Cosmetology ("Board") held on February 1, 2010, at its office located at 11622 Sunbelt Court, Baton Rouge, Louisiana 70809.

Present were:

Board members: Frances K. Hand, Vice-Chair, Vivian "Lynn" Glaze, Taquilla Hamilton, Michael P. Horning, Geneva L. Jones, Sarah H. Kennison, and Carolyn L. Robicheaux;

Sheri M. Morris, serving as counsel for the Board; and

Celia Cangelosi, serving as Complaint Counsel.

**FINDINGS OF FACT**

1. Respondent, PRO NAILS, located at 2820 Louisville, Suite 106, Monroe, LA 71201, was at all times material to the facts and matters alleged herein, licensed as a manicuring salon in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561, *et seq.*, as evidenced by Manicuring Salon License No. \*\*\*\*\*1791-0.

2. JESSICA PHAM is and, at all times material to the facts and matters alleged herein, was the owner of the manicuring salon, PRO NAILS, and was licensed as a manicurist in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561, *et seq.*, as evidenced by Manicurist License No. \*\*\*\*\*1791.

3. On May 20, 2009, waxing paraphernalia was found present in the salon indicating that waxing was being conducted on the licensed premises of PRO NAILS, Board Exhibit 5.

4. Waxing is not an activity lawfully conducted at a manicuring salon.

5. On September 3, 2009, by Certified Mail, Return Receipt Requested, PRO NAILS was sent to the salon address, the address of record, notice of the May 20, 2009 violations and asked to respond within an allotted period of time. Certified Mail No. 7004 2890 0001 8059 5383, Board Exhibit 1.

6. On January 5, 2010, by Certified Mail, Return receipt Requested, PRO NAILS was mailed, to the salon address, the original Administrative Complaint in the captioned matter and the Notice To Show Cause Why License Should Not Be Suspended or Revoked, with notice of the hearing to be held on February 1, 2010. Certified Mail No. 7009 2250 0004 0562 3603, Board Exhibit 2.

7. PRO NAILS did not appear at the February 1, 2010 hearing.

### **CONCLUSIONS OF LAW**

Respondent, PRO NAILS, Manicuring Salon No. \*\*\*\*\*1791-0, violated the following:

a. La. R.S. 37:581(A) by engaging in the practice of cosmetology by waxing without a current certificate of registration for that area of practice;

b. La. R.S. 37:600A(3) by engaging in unprofessional conduct that is likely to endanger the health, safety and welfare of the public; and

c. La. R.S. 37:600A(12) by violating the provisions of the Louisiana Cosmetology Practice Act by allowing a waxing services to be performed in a manicuring salon on or about May 20, 2009.


**ORDER**

IT IS ORDERED, ADJUDGED AND DECREED that the Louisiana Manicuring Salon License No. \*\*\*\*\*1791-0, belonging to PRO NAILS, 2820 Louisville, Suite 106, Monroe, LA 71201, is hereby revoked; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondent, PRO NAILS, is hereby ordered to pay to the Louisiana State Board of Cosmetology a fine in the amount of \$200.00.

Signed this 1st day of ~~February~~  
*March*, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

By:   
Frances K. Hand, Vice-Chairman





Bobby Jindal  
Governor

## State of Louisiana

Louisiana State Board of Cosmetology  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbclouisiana.gov](http://www.lsbclouisiana.gov)

Michael-John Gaspard, Chairman  
Metairie LA

Lynn Glaze  
Pineville LA

Michael P. Horning  
Franklinton LA

Sarah H. Kennison  
Lake Charles LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Taquilla Hamilton  
Havre LA

Geneva L. Jones  
Benton LA

Carolyn L. Robicheaux  
Baldwin LA

Stephen Young  
Assistant Director

*Apr. 3*, 2009

Pro Nails  
2820 Louisville Avenue  
Monroe, LA 71201

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Attn: Jessica Pham, Owner

RE: Pro Nails (Manicuring Salon No.  
\*\*\*\*1791-0); Notice of Violation No.  
029763; Inspection Report No. 148211

Dear Ms. Pham:

This letter is to inform you that the Board has received the enclosed Inspection Report No. 148211 and Notice of Violation No. 029763 indicating that Pro Nails may have acted in violation of Louisiana Cosmetology Act by conducting waxing on the licensed premises, licensed as a manicuring salon, on or about March 30, 2009, all without legal authorization and in violation of La. R.S. 37:600(A)(3), La. R.S. 37:600(A)(12) and La. R.S. 37:581(A).

In accordance with La. R.S. 49:961(C), you are given an opportunity to show compliance with all lawful requirements for the retention of the license of Pro Nails as a manicuring salon within the State of Louisiana by submitting a written statement and any supporting documentary evidence which would demonstrate compliance with the Louisiana Cosmetology Act.

Your response must be received by the Board office no later than 10 days following your receipt of this letter. Failure to respond within the delay provided will be deemed a

**EXHIBIT**

Board 1

Sept. 3, 2009  
Page 2

waiver of your right to informally show compliance and the matter will be scheduled for formal hearing before the Board.

If you have any questions or require additional information regarding this matter, please contact the Board's attorney, Celia R. Cangelosi, at (225) 387-0511.

Sincerely,

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, Executive Director

Enclosures

cc: Celia R. Cangelosi

7004 2890 0001 8059 5383

U.S. Postal Service CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
OFFICIAL USE	
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total	
Postmark Here	
Sent 1 Office or PO City: <b>Pro Nails</b> <b>2820 Louisville Avenue</b> <b>Monroe LA 71201</b>	
PS Form 3800, June 2002 See Reverse for Instructions	

## Louisiana State Board of Cosmetology

(225) 756-3404

## NOTICE OF VIOLATION

ISSUE DATE 3-20-09

MO. DAY YR.

NAME OF LICENSEE/SHOP/SCHOOL OWNER Pro NailsADDRESS 2820 Louisville Ave, Monroe, LA 71201LICENSE OR PERMIT # 434-83-1791-0VIOLATION I witnessed a warm wax pot w/ no gauge strip sticks & removed in nail salon.

(Description - Include Code Reference If Possible)

## DISPOSITION

Action Taken: (Check if Applicable)

1. Warning ☐2. Fine ☐3. Administrative ☒Hearing ☐Amount Date Rec'd Date To be Notified Dale Adams  
INSPECTOR/INVESTIGATOR SIGNATURE

Received:

\_\_\_\_\_  
LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATURE

DATE \_\_\_\_\_

**Louisiana State Board of Cosmetology  
Inspection Report**

N<sup>o</sup> 148211

INSPECTOR Duke A. Lina INSPECTOR'S DISTRICT 4 DATE 5-20-09  
 NAME OF SHOP Pro Nail (415176) OWNER-CO'S. LICENSE NO. 434831791  
 SHOP OWNER Jessica Pham (7-1-) LICENSE NO. 434-83-1791-0  
 SHOP ADDRESS 2820 N. Louisiana St. 106 PHONE NO. (318) 522-5503  
 CITY Monroe PARISH Ourachite STATE LA ZIP 71201 TIME 10:13/ 11:17+  
 MANAGER'S NAME not required COS.-MANAGER'S LICENSE NO. \_\_\_\_\_  
 ASSISTANT MANAGER'S CO.-MANAGER'S LICENSE NO. \_\_\_\_\_  
 NAME (if required) \_\_\_\_\_  
 OWNER'S 19 09 REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO  
 MANAGER'S 19 \_\_\_\_\_ REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO  
 RE OPERATOR'S 19 08+ REG. CERT. WITH PICTURE no pict on 9 YES OR NO  
 DOES SHOP HAVE "LA ADMINISTRATIVE CODE, TITLE 46, PART XXXI, COSMETOLOGISTS" ON PREMISES yes YES OR NO  
 DOES SHOP HAVE BLOOD SPILL KIT ON PREMISES yes YES OR NO

MARK WITH A CHECK [✓] IF SATISFACTORY OR AN [X] IF UNSATISFACTORY

sterilizers: Wet \_\_\_\_\_ Dry \_\_\_\_\_  
 boiled towels in covered container \_\_\_\_\_  
 clean towels in enclosed cabinet \_\_\_\_\_  
 covered waste containers: \_\_\_\_\_  
 shop well lighted \_\_\_\_\_ Well ventilated \_\_\_\_\_  
 shampoo bowl connected with hot/cold water \_\_\_\_\_  
 combs, brushes, rollers, implements, etc., clean and properly sterilized \_\_\_\_\_  
 floors, wall, fixtures, work stations clean \_\_\_\_\_  
 rest room clean and sanitary \_\_\_\_\_  
 do you find this shop clean, orderly and sanitary \_\_\_\_\_

**MANICURING SALONS ONLY**

Adequate ventilation ✓ Well lighted ✓  
 Small manicuring sterilizer on each station ✓  
 Disinfectant solution, alcohol, etc., on each station ✓  
 All bottles labeled ✓  
 All implements clean, properly sterilized, and stored ✓  
 Cotton balls in covered containers ✓  
 Covered waste containers ✓  
 Clean towels in enclosed cabinet ✓  
 Towels changed on manicure table after each client ✓  
 Lavatory with hot ✓ cold \_\_\_\_\_ water  
 Do you find this shop clean, orderly and sanitary yes

ST OPERATOR'S NAMES AND CERTIFICATION NUMBERS:

Long Thi Nguyen L960520827 406108 8-17-09  
Thao Phan Dao L903771221 412218 12-21-09  
Quynh Van Do L798960515 399954 5-15-09  
Long Thi Hien L957200323 378172 3-22-10

REMARKS:

Routine  
Violations 29763 - waxing in nail salon  
32401 - Hong Thi Nguyen - no pict. not in today  
32402 - Quynh Van Do - no pict. not in today  
32403 Jessica Pham - no license posted not in  
was unable to sign renewal back - Backs not present -

23852

SIGNATURE OF SHOP-OWNER OR MANAGER

7004 2890 0001 8059 5383

U.S. Postal Service  
CERTIFIED MAIL - RECEIPT  
(Domestic Mail Only - No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total	

Postmark  
Here

Sent  
Street  
or PO  
City  
**Pro Nails**  
**2820 Louisville Avenue**  
**Monroe LA 71201**

PS Form 3800, July 2002 PSN 7530-02-000-9000



## State of Louisiana

Louisiana State Board of Cosmetology  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbcc.louisiana.gov](http://www.lsbcc.louisiana.gov)

Bobby Jindal  
Governor

Michael-John Gaspard, Chairman  
Metairie LA

Allen D. Crochet  
Westlake LA

Taquilla F. Hamilton  
Harvey LA

Carolyn L. Robicheaux  
Baldwin LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Vivian L. Glaze  
Pineville LA

Geneva L. Jones  
Benton LA

Aleshia J. Smith  
Hahnville LA

Stephen Young  
Assistant Director

*January 5*, 2010

Pro Nails  
2820 Louisville, Suite 106  
Monroe, LA 71201

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Attn: Jessica Pham, Owner

Re: In The Matter Before the Louisiana State Board of Cosmetology; In The  
Matter of Pro Nails (Docket No. 10-004)

Dear Ms. Pham:

I wish to advise you that, pursuant to the provisions of LAC 46:XXX1.1301-1305 and La. R.S. 49:955, you are hereby notified that the Louisiana State Board of Cosmetology will hold an Administrative Hearing on February 1, 2010, at 9:00 o'clock a.m. at the office of Louisiana State Board of Cosmetology, 11622 Sunbelt Court, Baton Rouge, Louisiana 70809.

Enclosed please find the "Notice to Show Cause Why License Should Not Be Suspended or Revoked." The hearing will be held pursuant to the provisions of LAC 46:XXX1.1301-1305 and La. R.S. 49:961.

The purpose of the hearing is to consider testimony as to the allegations concerning your violations of statutes regulated by the Board. The specific allegations of misconduct are detailed in the enclosed Administrative Complaint.

We further advise you that these are serious charges and that you should consult an attorney.

If you feel that you will require the services of a language interpreter to participate in this hearing, please contact the Board's executive director immediately.

**EXHIBIT**

Board 2

tabbies

January 5, 2010  
Page 2

If there are any questions regarding this matter, please contact the complaint counsel,  
Celia R. Cangelosi, P.O. Box 3036, Baton Rouge, LA 70821-3036, (225) 387-0511.

Very truly yours,

LOUISIANA STATE BOARD OF  
COSMETOLOGY

*Jackie Burdette*  
JACKIE BURDETTE, Executive Director

JB/tsc

Enclosures

cc: Celia R. Cangelosi, Complaint Counsel  
Sheri Morris, General Counsel

7009 2250 0004 0562 3603

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
OFFICIAL USE	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Tot	
Sent	Pro Nails
Street or PO	2820 Louisville Avenue
City	Monroe LA 71201
PS Form 3800, AUGUST 2005 See Reverse for Instructions	

You are advised that you may appear in proper person or with counsel at this hearing which will be conducted under the provisions of La. R.S. 37:600 et seq.; La. R.S. 49:955 - 958; and LAC 46:XXX1.1301-1305. You or your counsel have the right to participate in this hearing and you may testify and may produce witnesses to testify in your behalf. Any competent evidence you have in this matter may be offered by you or your counsel. A

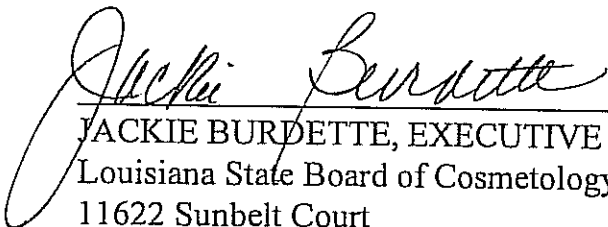


record of the testimony adduced will be made.

Please notify the Board as to whether you will attend the meeting and the name, address and telephone number of your legal counsel, if any. The Board's complaint counsel is listed below.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, EXECUTIVE DIRECTOR  
Louisiana State Board of Cosmetology  
11622 Sunbelt Court  
Baton Rouge, Louisiana 70809

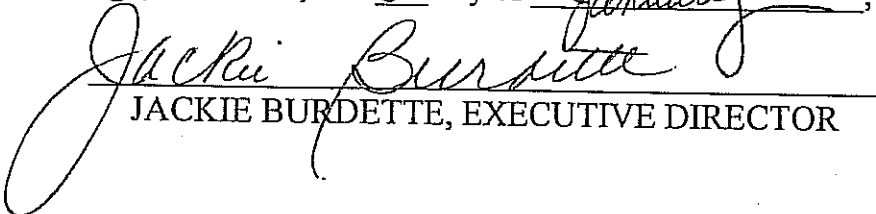
COMPLAINT COUNSEL:

CELIA R. CANGELOSI  
918 Government St.  
P.O. Box 3036  
Baton Rouge, LA 70821-3036  
PHONE: (225) 387-0511

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing Notice To Show Cause Why License Should Not Be Suspended or Revoked and annexed Administrative Complaint has been served on the individual designated above by first class mail and by certified mail, return receipt requested No. 7009 2250 0004 0562 3603

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

  
JACKIE BURDETTE, EXECUTIVE DIRECTOR

BEFORE THE  
LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
PRO NAILS

(MANICURING SALON No.  
\*\*\*\*\*1791-0)

DOCKET NO. 10- 004

ADMINISTRATIVE COMPLAINT

Acting in her official capacity as Executive Director of the LOUISIANA STATE BOARD OF COSMETOLOGY (hereinafter "Board") with respect to the above-entitled matter, JACKIE BURDETTE, as complainant herein, through undersigned counsel, asserts the following Administrative Complaint against the named Respondent:

RESPONDENT

1. Respondent, PRO NAILS, located at 2820 Louisville, Suite 106, Monroe, LA 71201, was at all time applicable, licensed as a manicuring salon in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 et seq., as evidenced by Manicuring Salon License No. \*\*\*\*\*1791-0.

2. JESSICA PHAM is and, at all times material to the facts and matters alleged herein, was the owner of the manicuring salon, PRO NAILS, and was at times licensed as a manicurist in the state of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 et. seq., as evidenced by Manicurist License No. \*\*\*\*\*1791.

### FACTS

3. On or about March 20, 2009, waxing equipment/supplies were found at the licensed premises.
4. Waxing is not an activity lawfully conducted at a manicuring salon.

### VIOLATIONS

- Count 1 No person shall engage in the practice of cosmetology without obtaining a current certificate of registration for the appropriate area of practice under the provisions of this Chapter (La. R.S. 37:581A);
- Count 2 Engaging in unprofessional conduct is likely to endanger the health, safety and welfare of the public (La. R.S. 37:600(A)(3)); and
- Count 3 Violation of any provision of this Chapter (La. R.S. 37:600(A)(12)).

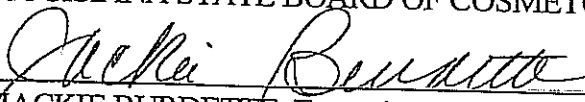
The activities of Respondent in allowing waxing to be conducted at the manicuring salon violate La. R.S. 37:581(A), La. R.S. 37:600(A)(3) and La. R.S. 37:600(A)(12); and constitute sufficient cause for the revocation and/or suspension or other sanction of the manicuring salon license of PRO NAILS as a manicuring salon in the State of Louisiana.

WHEREFORE, Complainant prays that this Administrative Complaint be accepted for filing and docketed for hearing before the Board; and that, pursuant to the applicable provisions of the Louisiana Cosmetology Law, La. R.S. 37:561 et seq., and the Administrative Procedure Act, La. R.S. 49:955-58, and the Rules and Regulations adopted by this Board, LAC 46:XXX1.1301-1305, this matter be fixed for administrative evidentiary hearing before the Board; that notice of such hearing be duly served on Respondent, together with a copy of this within Administrative Complaint; and that, following due proceedings therein, the Board render a decision, upon written findings of fact and conclusions of law, revoking and/or suspending or otherwise sanctioning the manicuring salon license of Respondent, PRO NAILS, in the State of Louisiana; and assessing a monetary fine against

Respondent of up to \$200.00 per violation, not to exceed \$5,000.00, and assessing against  
Respondent all costs of the investigation and these proceedings, including attorney's fees, all as  
provided by La. R.S. 37:600, et seq.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, Executive Director

COMPLAINT COUNSEL:

CELIA R. CANGELOSI  
918 Government St.  
P.O. Box 3036  
Baton Rouge, LA 70821-3036  
PHONE: (225) 387-0511

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark  
Here

Total F

Sent to

Pro Nails  
2820 Louisville Avenue, *SK104*  
Monroe LA 71201

Street, P  
or PO B  
City, St

PS Form 3800, August 2006 See reverse for instructions

**LOUISIANA STATE BOARD OF COSMETOLOGY**

**IN THE MATTER OF  
JESSICA PHAM**

**DOCKET NO. 10-005**

**(MANICURING SALON No.  
\*\*\*\*\*1791)**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

This matter came for hearing in an open meeting before the Louisiana State Board of Cosmetology ("Board") held on February 1, 2010, at its office located at 11622 Sunbelt Court, Baton Rouge, Louisiana 70809.

Present were:

Board members: Frances K. Hand, Vice-Chair, Vivian "Lynn" Glaze, Taquilla Hamilton, Michael P. Horning, Geneva L. Jones, Sarah H. Kennison, and Carolyn L. Robicheaux;

Sheri M. Morris, serving as counsel for the Board; and

Celia Cangelosi, serving as Complaint Counsel.

**FINDINGS OF FACT**

1. JESSICA PHAM is and, at all times material to the facts and matters alleged herein, was the owner of the manicuring salon, PRO NAILS, and was licensed as a manicurist in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561, *et seq.*, as evidenced by Manicurist License No. \*\*\*\*\*1791.

2. PRO NAILS, located at 2820 Louisville, Suite 106, Monroe, LA 71201, was at all times material to the facts and matters alleged herein, licensed as a manicuring salon in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561, *et seq.*, as evidenced by Manicuring Salon License No. \*\*\*\*\*1791-0.

3. On May 20, 2009, waxing paraphernalia was present in the salon indicating that waxing was being conducted on the licensed premises of PRO NAILS, Board Exhibit 5.

4. Waxing is not an activity lawfully conducted at a manicuring salon.

5. On September 3, 2009, by Certified Mail, Return Receipt Requested, JESSICA PHAM was mailed notice of the complaint that is the subject matter of this hearing to her address of record, 1405 N. McGuire Avenue, Monroe, LA 71203. Certified Mail No. 7004 2890 0001 8059 5390, Board Exhibit 3.

6. On January 5, 2010, by Certified Mail, Return Receipt Requested, JESSICA PHAM was mailed, to her address of record, the Administrative Complaint in the captioned matter and the Notice To Show Cause Why License Should Not Be Suspended or Revoked, with notice of the hearing to be held on February 1, 2010. That mailing was received at the address of record. Certified Mail No. 7009 2250 0004 0562 3610, Board Exhibit 4.

7. JESSICA PHAM did not appear at the February 1, 2010 hearing.

### CONCLUSIONS OF LAW

Respondent, JESSICA PHAM, Manicurist License No. \*\*\*\*\*1791, as owner of PRO NAILS, violated the following:

a. La. R.S. 37:581(A) by engaging in the practice of cosmetology by waxing without a current certificate of registration for that area of practice;

b. La. R.S. 37:600A(3) by engaging in unprofessional conduct that is likely to endanger the health, safety and welfare of the public; and

c. La. R.S. 37:600A(12) by violating the provisions of the Louisiana Cosmetology Practice Act by providing waxing services at PRO NAILS, the salon she owned, on or about May 20, 2009.

## ORDER

IT IS ORDERED, ADJUDGED AND DECREED that Louisiana Manicurist License No. \*\*\*\*\*1791, belonging to JESSICA PHAM, is suspended for a period of 12 months or until all fines and costs set out herein and in Docket No. 10-004 are paid in full, after which the suspension is suspended and the license placed on probation for a period of 2 years subject to the following special conditions of probation:

- [1] JESSICA PHAM shall be ineligible for licensure as a salon owner for a period of three (3) years from the date of this Order;
- [2] JESSICA PHAM shall post a copy of this Order in a conspicuous place near her manicurist license; and
- <sup>3</sup>  
[2] PRO NAILS and/or JESSICA PHAM shall not violate or be found guilty or violating any state, local or federal laws or regulations, including but not limited to laws and regulations relating to manicuring salons; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondent, JESSICA PHAM, is ordered to pay to the Louisiana State Board of Cosmetology a fine in the amount of \$200.00 and any fines set forth in Docket No. 10-004;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as authorized by La. R.S. 37:604C, Respondent, JESSICA PHAM, is ordered to reimburse the Board all costs incurred in connection with the proceedings, including but not limited to investigator costs, stenographer costs and attorney fee of \$650.00;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that before the license of JESSICA PHAM can be considered for reinstatement, all fines and costs set out herein and all fines and costs assessed against PRO NAILS in Docket No. 10-004 must be paid in full.

Signed this 1<sup>st</sup> day of ~~February~~, 2010.

*March*

LOUISIANA STATE BOARD OF COSMETOLOGY

By: 

Frances K. Hand, Vice-Chairman





Bobby Jindal  
Governor

## State of Louisiana

Louisiana State Board of Cosmetology  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbclouisiana.gov](http://www.lsbclouisiana.gov)

Michael-John Gaspard, Chairman  
Metairie LA

Lynn Glaze  
Pineville LA

Michael P. Horning  
Franklinton LA

Sarah H. Kennison  
Lake Charles LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Taquilla Hamilton  
Havay LA

Geneva L. Jones  
Benion LA

Carolyn L. Robicheaux  
Baldwin LA

Stephen Young  
Assistant Director

*Sept. 3*, 2009

Jessica Pham  
1405 N. McGuire Avenue  
Monroe, LA 71203

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

RE: Jessica Pham (Manicurist License No.  
\*\*\*\*1791); Notice of Violation No.  
029763; Inspection Report No. 148211

Dear Ms. Pham:

This letter is to inform you that the Board has received the enclosed Inspection Report No. 148211 and Notice of Violation No. 029763 indicating that you, as owner of Pro Nails, may have acted in violation of Louisiana Cosmetology Act by conducting waxing on the licensed premises, licensed as a manicuring salon, on or about March 30, 2009, all without legal authorization and in violation of La. R.S. 37:600(A)(3), La. R.S. 37:600(A)(12) and La. R.S. 37:581(A).

In accordance with La. R.S. 49:961(C), you are given an opportunity to show compliance with all lawful requirements for the retention of your manicurist license within the State of Louisiana by submitting a written statement and any supporting documentary evidence which would demonstrate compliance with the Louisiana Cosmetology Act.

Your response must be received by the Board office no later than 10 days following your receipt of this letter. Failure to respond within the delay provided will be deemed a waiver of your right to informally show compliance and the matter will be scheduled for formal hearing before the Board.

EXHIBIT

Board 3

tabbles

Sept. 3, 2009  
Page 2

If you have any questions or require additional information regarding this matter, please contact the Board's attorney, Celia R. Cangelosi, at (225) 387-0511.

Sincerely,

LOUISIANA STATE BOARD OF COSMETOLOGY

*Jackie Burdette*  
JACKIE BURDETTE, Executive Director

Enclosures

cc: Celia R. Cangelosi

7004 2890 0001 8059 5390

U.S. Postal Service <sup>TM</sup> <b>CERTIFIED MAIL<sup>®</sup> RECEIPT</b> (Domestic Mail Only, No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Postmark Here	
To:	
Sent <b>Jessica Pham</b>	
Street <b>1405 N. McGuire Avenue</b>	
City <b>Monroe LA 71203</b>	
State or ZIP <b>LA 71203</b>	
See Reverse for Instructions	

State of Louisiana  
Louisiana State Board of Cosmetology  
(225) 756-3404

029763

**NOTICE OF VIOLATION**

ISSUE DATE 3-20-09

MO. DAY YR.

NAME OF LICENSEE/SHOP/SCHOOL OWNER Pro Nails

ADDRESS 2820 Louisville Ave, Monroe, LA 71201

LICENSE OR PERMIT # 434-83-1791-0

VIOLATION I witnessed a warm wax pot w/ no gauge strip sticks & removed in nail salon.

(Description - Include Code Reference If Possible)

DISPOSITION

Action Taken: (Check if Applicable)

1. Warning	_____	Amount	_____	Date Rec'd	_____
2. Fine	_____				
3. Administrative	_____				
Hearing	<input checked="" type="checkbox"/>	Date	_____	To be Notified	_____

Dale Adams  
INSPECTOR/INVESTIGATOR SIGNATURE

Received:

\_\_\_\_\_  
LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATURE

DATE \_\_\_\_\_

Louisiana State Board of Cosmetology  
Inspection Report

NO 148211

INSPECTOR Dallas Adams INSPECTOR'S DISTRICT 4 DATE 5-20-09  
NAME OF SHOP Pro Nail (415176) OWNER-CO'S. LICENSE NO. 434831791  
SHOP OWNER Jeannie Pham (7-1-) LICENSE NO. 434-83-1791-0  
SHOP ADDRESS 2820 Newmarket St. 106 PHONE NO. (318) 522-5503  
CITY Monroe PARISH Ourachite STATE LA ZIP 71201 TIME 10:13 11:17A  
MANAGER'S NAME not required COS.-MANAGER'S LICENSE NO. \_\_\_\_\_  
ASSISTANT MANAGER'S CO.-MANAGER'S LICENSE NO. \_\_\_\_\_  
NAME (if required) \_\_\_\_\_  
OWNER'S 19 09 REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO  
MANAGER'S 19 \_\_\_\_\_ REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO  
E OPERATOR'S 19 08 + REG. CERT. WITH PICTURE no pic on 2 YES OR NO  
DOES SHOP HAVE "LA ADMINISTRATIVE CODE, TITLE 46, PART XXXI, COSMETOLOGISTS" ON PREMISES yes YES OR NO  
DOES SHOP HAVE BLOOD SPILL KIT ON PREMISES yes YES OR NO

MARK WITH A CHECK [✓] IF SATISFACTORY OR AN [X] IF UNSATISFACTORY

Sterilizers: Wet \_\_\_\_\_ Dry \_\_\_\_\_  
Soiled towels in covered container \_\_\_\_\_  
Clean towels in enclosed cabinet \_\_\_\_\_  
Covered waste containers: \_\_\_\_\_  
Shop well lighted \_\_\_\_\_ Well ventilated \_\_\_\_\_  
Shampoo bowl connected with hot/cold water \_\_\_\_\_  
Combs, brushes, rollers, implements, etc., clean and properly sterilized \_\_\_\_\_  
Floors, wall, fixtures, work stations clean \_\_\_\_\_  
Rest room clean and sanitary \_\_\_\_\_  
Do you find this shop clean, orderly and sanitary \_\_\_\_\_

MANICURING SALONS ONLY

Adequate ventilation ✓ Well lighted ✓  
Small manicuring sterilizer on each station ✓  
Disinfectant solution, alcohol, etc., on each station ✓  
All bottles labeled ✓  
All implements clean, properly sterilized, and stored ✓  
Cotton balls in covered containers ✓  
Covered waste containers ✓  
Clean towels in enclosed cabinet ✓  
Towels changed on manicure table after each client ✓  
Lavatory with hot ✓ cold \_\_\_\_\_ water  
Do you find this shop clean, orderly and sanitary yes

LIST OPERATOR'S NAMES AND CERTIFICATION NUMBERS:

Hang Thi Nguyen L960520827 406108 8-27-09  
Pham Dao L903771221 412218 12-21-09  
Quang Van Do L798960515 399954 5-15-09  
Hang Thi Nguyen L957200323 378172 3-22-10

REMARKS:

Routine  
Violations 29763 - working in nail salon  
32401 - Hang Thi Nguyen - no pic. not in today  
32402 - Quang Van Do - no pic. not in today  
32403 - Jeannie Pham - no license posted not in  
was unable to sign renewal back - Backs not present -

23852

SIGNATURE OF SHOP-OWNER OR MANAGER

WHITE - OFFICE COPY

GREEN - INSPECTOR COPY

PINK - SHOP COPY

7004 2890 0001 8059 5390

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only. No insurance coverage provided.)

For delivery information, visit our Website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark  
Here

To:

Sent Jessica Pham  
Street 1405 N. McGuire Avenue  
or P.O. Box Monroe LA 71203  
City:

See reverse for instructions



## State of Louisiana

Louisiana State Board of Cosmetology  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbcb.louisiana.gov](http://www.lsbcb.louisiana.gov)

Bobby Jindal  
Governor

Michael-John Gaspard, Chairman  
Metairie LA

Allen D. Crachet  
Westlake LA

Taquilla F. Hamilton  
Harvey LA

Carolyn L. Robicheaux  
Baldwin LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Vivian L. Glaze  
Pineville LA

Geneva L. Jones  
Benton LA

Aleshia J. Smith  
Hahnville LA

Stephen Young  
Assistant Director

January 5, 2010

Jessica Pham  
1405 North McGuire Avenue  
Monroe, LA 71203

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Re: In The Matter Before the Louisiana State Board of Cosmetology; In The  
Matter of Jessica Pham (Docket No. 10-005)

Dear Ms. Pham:

I wish to advise you that, pursuant to the provisions of LAC 46:XXX1.1301-1305 and La. R.S. 49:955, you are hereby notified that the Louisiana State Board of Cosmetology will hold an Administrative Hearing on February 1, 2010, at 9:00 o'clock a.m. at the office of Louisiana State Board of Cosmetology, 11622 Sunbelt Court, Baton Rouge, Louisiana 70809.

Enclosed please find the "Notice to Show Cause Why License Should Not Be Suspended or Revoked." The hearing will be held pursuant to the provisions of LAC 46:XXX1.1301-1305 and La. R.S. 49:961.

The purpose of the hearing is to consider testimony as to the allegations concerning your violations of statutes regulated by the Board. The specific allegations of misconduct are detailed in the enclosed Administrative Complaint.

We further advise you that these are serious charges and that you should consult an attorney.

If you feel that you will require the services of a language interpreter to participate in this hearing, please contact the Board's executive director immediately.

EXHIBIT

Board 4

January 5, 2010  
Page 2

If there are any questions regarding this matter, please contact the complaint counsel,  
Celia R. Cangelosi, P.O. Box 3036, Baton Rouge, LA 70821-3036, (225) 387-0511.

Very truly yours,

LOUISIANA STATE BOARD OF  
COSMETOLOGY

*Jackie Burdette*  
JACKIE BURDETTE, Executive Director

JB/tsc

Enclosures

cc: Celia R. Cangelosi, Complaint Counsel  
Sheri Morris, General Counsel

Jessica Pham  
1405 N. McGuire Avenue  
Monroe LA 71203

- SENDER: COMPLETE THIS SECTION**
- ☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
  - ☒ Print your name and address on the reverse so that we can return the card to you.
  - ☒ Attach this card to the back of the mailpiece, or on the front if space permits.
1. Article Addressed to:

2. Article Number  
(Transfer from service label)  
PS Form 3811, February 2004

7009 2250 0004 0562 3610

Domestic Return Receipt

102595-02-M-1540

3. Service Type
- ☒ Certified Mail
  - ☐ Registered
  - ☐ Insured Mail
  - ☐ Express Mail
  - ☒ Return Receipt for Merchandise
  - ☐ C.O.D.
4. Restricted Delivery? (Extra Fee)
- Yes

- COMPLETE THIS SECTION ON DELIVERY**
- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) ☒ Date of Delivery
- C. Is delivery address different from item 1? ☐ Yes ☒ No  
If YES, enter delivery address below:

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b>	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total	
Sent <b>Jessica Pham</b>	
<b>1405 N. McGuire Avenue</b>	
<b>Monroe LA 71203</b>	
PS Form 3800, August 2005 See Reverse for Instructions	

0796 2950 4000 0522 6002

BEFORE THE  
LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
JESSICA PHAM

(MANICURIST LICENSE No.  
\*\*\*\*\*1791)

DOCKET NO. 10- 005

ADMINISTRATIVE COMPLAINT

Acting in her official capacity as Executive Director of the LOUISIANA STATE BOARD OF COSMETOLOGY (hereinafter "Board") with respect to the above-entitled matter, JACKIE BURDETTE, as complainant herein, through undersigned counsel, asserts the following Administrative Complaint against the named Respondent:

RESPONDENT

1. RESPONDENT, JESSICA PHAM is and, at all times material to the facts and matters alleged herein, was the owner of the manicuring salon, PRO NAILS, 2820 Louisville, Suite 106, Monroe, LA 71201, and at times was licensed as a manicurist in the state of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 et. seq., as evidenced by Manicurist License No. \*\*\*\*\*1791.
2. PRO NAILS was at all times material licensed as a manicuring salon in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 et seq., as evidenced by Manicuring Salon License No. \*\*\*\*\*1791-0.



### FACTS

3. On or about March 20, 2009, waxing was being conducted on the unlicensed premises.
4. Waxing is not an activity lawfully conducted at a manicuring salon.

### VIOLATIONS

- Count 1 No person shall engage in the practice of cosmetology without obtaining a current certificate of registration for the appropriate area of practice under the provisions of this Chapter (La. R.S. 37:581A);
- Count 2 Engaging in unprofessional conduct is likely to endanger the health, safety and welfare of the public (La. R.S. 37:600(A)(3));
- Count 3 Violation of any provision of this Chapter (La. R.S. 37:600(A)(12)).

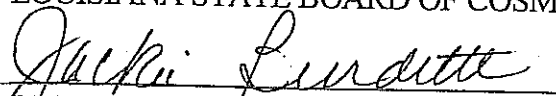
The activities of Respondent in allowing waxing to be conducted at the manicuring salon violate La. R.S. 37:581(A), La. R.S. 37:600(A)(3) and La. R.S. 37:600(A)(12); and constitute sufficient cause for the revocation and/or suspension or other sanction of the manicurist license of JESSICA PHAM as a manicurist in the State of Louisiana.

WHEREFORE, Complainant prays that this Administrative Complaint be accepted for filing and docketed for hearing before the Board; and that, pursuant to the applicable provisions of the Louisiana Cosmetology Law, La. R.S. 37:561 et seq., and the Administrative Procedure Act, La. R.S. 49:955-58, and the Rules and Regulations adopted by this Board, LAC 46:XXX1.1301-1305, this matter be fixed for administrative evidentiary hearing before the Board; that notice of such hearing be duly served on Respondent, together with a copy of this within Administrative Complaint; and that, following due proceedings therein, the Board render a decision, upon written findings of fact and conclusions of law, revoking and/or suspending or otherwise sanctioning the manicurist license of Respondent, JESSICA PHAM, in the State of Louisiana; and assessing a monetary fine against

Respondent of up to \$200.00 per violation, not to exceed \$5,000.00, and assessing against Respondent all costs of the investigation and these proceedings, including attorney's fees, all as provided by La. R.S. 37:600, et seq.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, Executive Director

COMPLAINT COUNSEL:

CELIA R. CANGELOSI  
918 Government St.  
P.O. Box 3036  
Baton Rouge, LA 70821-3036  
PHONE: (225) 387-0511

BEFORE THE  
LOUISIANA STATE BOARD OF COSMETOLOGY

----- :  
IN THE MATTER OF :  
JESSICA PHAM :

(MANICURIST LICENSE No. :  
\*\*\*\*\*1791) :

DOCKET NO. 10- 005

----- :  
NOTICE TO SHOW CAUSE WHY  
LICENSE SHOULD NOT BE SUSPENDED OR REVOKED

In accordance with the provisions of the La R.S. 37:600 et seq., you are hereby notified to show cause before the Louisiana State Board of Cosmetology ("Board") on February 1, 2010, at 9:00 o'clock a.m., or such other time to which the hearing may be continued, at the office of the Louisiana State Board of Cosmetology, 11622 Sunbelt Court, Baton Rouge, Louisiana, why the license of JESSICA PHAM, as a manicurist in the State of Louisiana, should not be suspended or revoked, or other action taken in accordance with law, for the reasons as set forth in the attached Administrative Complaint.

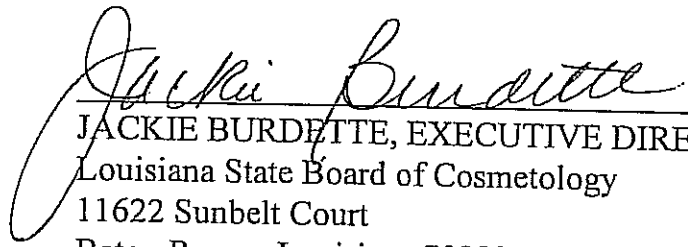
You are advised that you may appear in proper person or with counsel at this hearing which will be conducted under the provisions of La. R.S. 37:600 et seq.; La. R.S. 49:955 - 958; and LAC 46:XXX1.1301-1305. You or your counsel have the right to participate in this hearing and you may testify and may produce witnesses to testify in your behalf. Any competent evidence you have in this matter may be offered by you or your counsel. A

record of the testimony adduced will be made.

Please notify the Board as to whether you will attend the meeting and the name, address and telephone number of your legal counsel, if any. The Board's complaint counsel is listed below.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, EXECUTIVE DIRECTOR  
Louisiana State Board of Cosmetology  
11622 Sunbelt Court  
Baton Rouge, Louisiana 70809

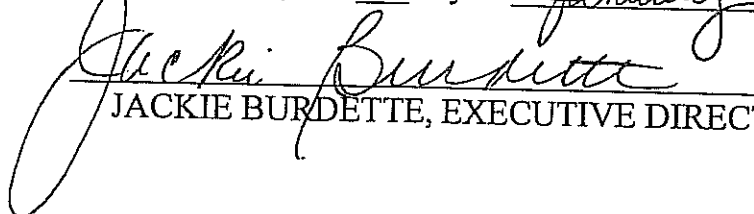
**COMPLAINT COUNSEL:**

CELIA R. CANGELOSI  
918 Government St., Suite 101  
P.O. Box 3036  
Baton Rouge, LA 70821-3036  
PHONE: (225) 387-0511

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the above and foregoing Notice To Show Cause Why License Should Not Be Suspended or Revoked and annexed Administrative Complaint has been served on the individual designated above by first class mail and by certified mail, return receipt requested No. 7009 2250 0004 0562 3610

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

  
JACKIE BURDETTE, EXECUTIVE DIRECTOR

# Louisiana State Board of Cosmetology Inspection Report

NO 148211

2-20-09

PH

INSPECTOR Debra A. Brown INSPECTOR'S DISTRICT 4 DATE 5-20-09

NAME OF SHOP Pee Nail (415176) OWNER-CO'S. LICENSE NO. 434831791

SHOP OWNER Jessie Pham (7-1-) LICENSE NO. 434-83-1791-0

SHOP ADDRESS 2820 Fairview Ave 106 PHONE NO. (218) 522-5503

CITY Monroe PARISH Our Lady of the Lake STATE LA ZIP 71201 TIME 10:13/11:17+

MANAGER'S NAME not required COS.-MANAGER'S LICENSE NO. \_\_\_\_\_

ASSISTANT MANAGER'S NAME (if required) \_\_\_\_\_ CO.-MANAGER'S LICENSE NO. \_\_\_\_\_

OWNER'S 19 09 REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO \_\_\_\_\_ POSTED yes YES OR NO \_\_\_\_\_

MANAGER'S 19 \_\_\_\_\_ REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO \_\_\_\_\_ POSTED \_\_\_\_\_ YES OR NO \_\_\_\_\_

ARE OPERATOR'S 19 08+ REG. CERT. WITH PICTURE no pic on 2 POSTED yes YES OR NO \_\_\_\_\_

DOES SHOP HAVE "LA ADMINISTRATIVE CODE, TITLE 46, PART XXXI, COSMETOLOGISTS" ON PREMISES yes YES OR NO \_\_\_\_\_

DOES SHOP HAVE BLOOD SPILL KIT ON PREMISES yes YES OR NO \_\_\_\_\_

MARK WITH A CHECK [✓] IF SATISFACTORY OR AN [X] IF UNSATISFACTORY

Sterilizers: Wet \_\_\_\_\_ Dry \_\_\_\_\_

Soiled towels in covered container: \_\_\_\_\_

Clean towels in enclosed cabinet: \_\_\_\_\_

Covered waste containers: \_\_\_\_\_

Shop well lighted \_\_\_\_\_ Well ventilated \_\_\_\_\_

Shampoo bowl connected with hot/cold water \_\_\_\_\_

Combs, brushes, rollers, implements, etc., clean and properly sterilized \_\_\_\_\_

Floors, wall, fixtures, work stations clean \_\_\_\_\_

Rest room clean and sanitary \_\_\_\_\_

Do you find this shop clean, orderly and sanitary \_\_\_\_\_

## MANICURING SALONS ONLY

Adequate ventilation ✓ Well lighted ✓

Small manicuring sterilizer on each station ✓

Disinfectant solution, alcohol, etc., on each station ✓

All bottles labeled ✓

All implements clean, properly sterilized, and stored ✓

Cotton balls in covered containers \_\_\_\_\_

Covered waste containers \_\_\_\_\_

Clean towels in enclosed cabinet ✓

Towels changed on manicure table after each client ✓

Lavatory with hot ✓ cold ✓ water \_\_\_\_\_

Do you find this shop clean, orderly and sanitary yes

## LIST OPERATOR'S NAMES AND CERTIFICATION NUMBERS:

Hang Thi Nguyen L960520827 406108 8-27-09

Thao Chau Dao L903771221 412218 12-21-09

Quynh Van Do L798960515 399954 5-15-09

Long Thi Phan L957200323 378172 3-22-10

## REMARKS:

Routine

Violations 29763 - working in nail salon

32401 - Hang Thi Nguyen - no pic - not in today

32402 - Quynh Van Do - no pic - not in today

32403 - Jessie Pham - no license posted - not in

I was unable to sign Personal books - Books not present -

123852

SIGNATURE OF SHOP-OWNER OR MANAGER

Thao Chau Dao

EXHIBIT

Board 5

Louisiana State Board of Cosmetology

(225) 756-3404

3-20-09 **NOTICE OF VIOLATION**

ISSUE DATE 3-20-09

MO. DAY YR.

NAME OF LICENSEE/SHOP/SCHOOL OWNER Pro Nails

ADDRESS 2820 Louisville Ave, Monroe, LA 71201

LICENSE OR PERMIT # 434-83-1791-0

VIOLATION I witnessed a woman wax pet w. the gauge strip sticks & removed in nail salon.

(Description - Include Code Reference If Possible)

DISPOSITION

Action Taken: (Check if Applicable)

- |                           |                                     |        |                          |                |                          |
|---------------------------|-------------------------------------|--------|--------------------------|----------------|--------------------------|
| 1. Warning                | <input type="checkbox"/>            | Amount | <input type="checkbox"/> | Date Rec'd     | <input type="checkbox"/> |
| 2. Fine                   | <input type="checkbox"/>            |        |                          |                |                          |
| 3. Administrative Hearing | <input checked="" type="checkbox"/> | Date   | <input type="checkbox"/> | To be Notified | <input type="checkbox"/> |

Dale Adams  
INSPECTOR/INVESTIGATOR SIGNATURE

Received:

LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATURE

DATE



# Board Order

Heather Hariford

Docket No. 10-006





LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
HEATHER HARIFORD

DOCKET NO. 10-006

(COSMETOLOGY LICENSE No.  
\*\*\*\*\*4115)--Expired

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came for hearing in an open meeting before the Louisiana State Board of Cosmetology ("Board") held on February 1, 2010, at its office located at 11622 Sunbelt Court, Baton Rouge, Louisiana 70809.

Present were:

Board members: Frances K. Hand, Vice-Chair, Vivian "Lynn" Glaze, Taquilla Hamilton, Michael P. Horning, Geneva L. Jones, Sarah H. Kennison, and Carolyn L. Robicheaux;

Sheri M. Morris, serving as counsel for the Board; and

Celia Cangelosi, serving as Complaint Counsel.

FINDINGS OF FACT

1. Respondent, HEATHER HARIFORD, was licensed by the BOARD as a cosmetologist in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561, *et seq.*, as evidenced by Cosmetology License No. \*\*\*\*\*4415; however, as of August 3, 2008 said license had not been renewed.

2. HEATHER HARIFORD was the owner of a cosmetology salon located at 108 4<sup>th</sup> Street, Port Allen, LA.

3. On or about September 17, 2009, in the cosmetology salon located at 108 4<sup>th</sup> Street, Port Allen, LA, it was discovered that HEATHER HARIFORD was operating as cosmetologist there without a current cosmetology license and without a cosmetology salon license, Board Exhibit 3.

4. On October 8, 2009, by Certified Mail No. 7009 2250 0004 0562 3450, Return Receipt Requested, HEATHER HARIFORD was mailed notice of the complaint that is the subject matter of this hearing to her address of record and asked to respond within an allotted period of time. The mailing was received at the address of record; however, no response was received, Board Exhibit 1.

5. On January 5, 2010, by Certified Mail No. 7009 2250 0004 2562 3627, Return Receipt Requested, HEATHER HARIFORD was mailed regular and certified mail to her address of record, the Administrative Complaint in the captioned matter and the Notice To Show Cause Why License Should Not Be Suspended or Revoked, with notice of the hearing to be held on February 1, 2010. The certified mailing was returned to the Board office marked "Unclaimed," Board Exhibit 2.

6. HEATHER HARIFORD did not appear at the February 1, 2010 hearing.

### CONCLUSIONS OF LAW

Respondent, HEATHER HARIFORD, Cosmetology License No. \*\*\*\*\*4115, violated the following:

- a. La. R.S. 37:581A by engaging in the practice of cosmetology without obtaining a current certificate of registration to practice cosmetology;
- b. La. R.S. 37:591A by operating a beauty shop or salon in the State of Louisiana without a certificate of registration issued by the Board;
- c. La. R.S. 37:600A(3) by engaging in unprofessional conduct likely to endanger the health, safety and welfare of the public; and
- d. La. R.S. 37:600A(12) by violating provisions of the Louisiana Cosmetology Act, by operating a cosmetology salon without a certificate of registration issued by the Board, and by working as a cosmetologist with an expired license in an unlicensed facility from August 3, 2008, to the present.

ORDER

IT IS ORDERED, ADJUDGED AND DECREED that HEATHER HARIFORD is hereby ordered to immediately cease and desist from operating a cosmetology salon at 108 4<sup>th</sup> Street, Port Allen, LA;

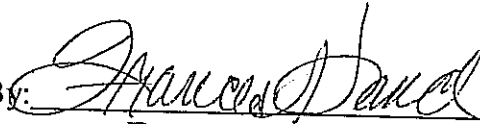
IT IS ORDERED, ADJUDGED AND DECREED that Louisiana Cosmetology License No. \*\*\*\*\*4115, belong to HEATHER HARIFORD, may not be reinstated until all licensing fees, late fees, fine and costs set forth herein are paid in full;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondent, HEATHER HARIFORD, is ordered to pay to the Louisiana State Board of Cosmetology a fine in the amount of \$200.00; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as authorized by La. R.S. 37:604C, Respondent, HEATHER HARIFORD, is ordered to reimburse the Board all costs incurred in connection with the proceedings, including but not limited to investigator's costs, stenographer's costs and attorney's fees of \$650.00.

Signed this 1st day of ~~February~~  
March, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

By:   
Frances K. Hand, Vice-Chairman



## State of Louisiana

Louisiana State Board of Cosmetology  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbcc.louisiana.gov](http://www.lsbcc.louisiana.gov)

Bobby Jindal  
Governor

Michael-John Gaspard, Chairman  
Metairie LA

Allen D. Crochet  
Westlake LA

Taquilla F. Hamilton  
Harvey LA

Carolyn L. Robicheaux  
Baldwin LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Vivian L. Glaze  
Pineville LA

Geneva L. Jones  
Benton LA

Aleshia J. Smith  
Hahnville LA

Stephen Young  
Assistant Director

Oct. 8, 2009

Heather Hariford  
159 Richard Street  
Brusly, LA 70719

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

RE: Heather Hariford (Cosmetologist License  
No. \*\*\*\*4115); Inspection Report No.  
149250; Notice of Violation Nos. 33853  
and 33854

Dear Ms. Hariford:

This letter is to inform you that the Board has received the enclosed Inspection Report No. 149250 and Notice of Violation Nos. 33853 and 33854 indicating that you may have acted in violation of Louisiana Cosmetology Act on or about September 17, 2009, by: (1) operating as a cosmetologist with an expired cosmetology license in violation of La. R.S. 37:581(A), La. R.S. 37:590(A), La. R.S. 37:600(A)(3), La. R.S. 37:600(A)(9) and La. R.S. 37:600(A)(12); and (2) operating a beauty shop or salon at 108 4<sup>th</sup> Street, Port Allen, LA, without a certificate of registration issued by the Board, in violation of La. R.S. 37:591(A), La. R.S. 37:600(A)(3), La. R.S. 37:600(A)(9) and La. R.S. 37:600(A)(12).

In accordance with La. R.S. 49:961(C), you are given an opportunity to show compliance with all lawful requirements for the retention of your cosmetologist license within the State of Louisiana by submitting a written statement and any supporting documentary evidence which would demonstrate compliance with the Louisiana Cosmetology Act.

Your response must be received by the Board office no later than 10 days following your receipt of this letter. Failure to respond within the delay provided will be deemed a

EXHIBIT

Board 1

tabbies

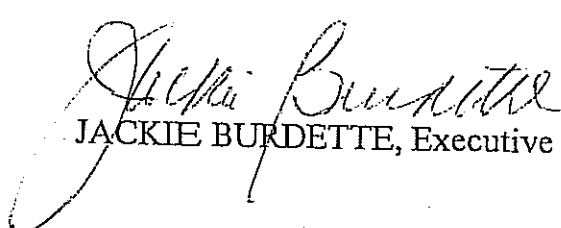
Oct. 8, 2009  
Page 2

waiver of your right to informally show compliance and the matter will be scheduled for formal hearing before the Board.

If you have any questions or require additional information regarding this matter, please contact the Board's attorney, Celia R. Cangelosi, at (225) 387-0511.

Sincerely,

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, Executive Director

Enclosures

cc: Celia R. Cangelosi

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to:</p> <p>Ms. Heather Harford 159 Richard Street Briary, LA 70719</p>		<p>A. Signature <input checked="" type="checkbox"/> X <input type="checkbox"/> Agent</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>	
<p>2. Article Number</p> <p>(Transfer from service label) 7009 2250 0004 0562 3450</p> <p>PS Form 3811, February 2004 Domestic Return Receipt</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

102595-02-M-1540

Margaret Keller  
Shirley Stachet

Louisiana State Board of Cosmetology  
Inspection Report

NO 149250

INSPECTOR Shirley Stachet INSPECTOR'S DISTRICT 3 DATE 9-17-09  
NAME OF SHOP \_\_\_\_\_ OWNER-CO'S LICENSE NO. \_\_\_\_\_  
SHOP OWNER Heather Harford LICENSE NO. \_\_\_\_\_  
SHOP ADDRESS 108 4th St PHONE NO. ( ) \_\_\_\_\_  
CITY Port Allen PARISH WBR STATE LA ZIP 707 TIME 1030 1130  
MANAGER'S NAME \_\_\_\_\_ COS.-MANAGER'S LICENSE NO. \_\_\_\_\_  
ASSISTANT MANAGER'S NAME (if required) \_\_\_\_\_ CO.-MANAGER'S LICENSE NO. \_\_\_\_\_  
IS OWNER'S 19 \_\_\_\_\_ REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO POSTED \_\_\_\_\_ YES OR NO  
IS MANAGER'S 19 \_\_\_\_\_ REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO POSTED \_\_\_\_\_ YES OR NO  
ARE OPERATOR'S 19 \_\_\_\_\_ REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO POSTED \_\_\_\_\_ YES OR NO  
DOES SHOP HAVE "LA ADMINISTRATIVE CODE, TITLE 46, PART XXXI, COSMETOLOGISTS" ON PREMISES \_\_\_\_\_ YES OR NO  
DOES SHOP HAVE BLOOD SPILL KIT ON PREMISES \_\_\_\_\_ YES OR NO

MARK WITH A CHECK [✓] IF SATISFACTORY OR AN [X] IF UNSATISFACTORY

- Sterilizers: Wet \_\_\_\_\_ Dry \_\_\_\_\_
- Soiled towels in covered container: \_\_\_\_\_
- Clean towels in enclosed cabinet: \_\_\_\_\_
- Covered waste containers: \_\_\_\_\_
- Shop well lighted \_\_\_\_\_ Well ventilated \_\_\_\_\_
- Shampoo bowl connected with hot/cold water \_\_\_\_\_
- Combs, brushes, rollers, implements, etc., clean and properly sterilized \_\_\_\_\_
- Floors, wall, fixtures, work stations clean \_\_\_\_\_
- Rest room clean and sanitary \_\_\_\_\_
- Do you find this shop clean, orderly and sanitary \_\_\_\_\_

MANICURING SALONS ONLY

- Adequate ventilation \_\_\_\_\_ Well lighted \_\_\_\_\_
- Small manicuring sterilizer on each station \_\_\_\_\_
- Disinfectant solution, alcohol, etc., on each station \_\_\_\_\_
- All bottles labeled \_\_\_\_\_
- All implements clean, properly sterilized, and stored \_\_\_\_\_
- Cotton balls in covered containers \_\_\_\_\_
- Covered waste containers \_\_\_\_\_
- Clean towels in enclosed cabinet \_\_\_\_\_
- Towels changed on manicure table after each client \_\_\_\_\_
- Lavatory with hot \_\_\_\_\_ cold \_\_\_\_\_ water \_\_\_\_\_
- Do you find this shop clean, orderly and sanitary \_\_\_\_\_

LIST OPERATOR'S NAMES AND CERTIFICATION NUMBERS:

REMARKS: Heather Harford - States that she went to the ofc. about 9-17-09 spoke with a lady at the front desk at that time. She removed her lic. Heather states that when she went to ofc. she told front desk that she wanted to open a salon in Brusley and she needed to know who the inspector was so that she the inspector could come to Brusley to open Salon.

Heather Harford  
SIGNATURE OF SHOP OWNER OR MANAGER

REC'D SEP 23 2009

## NOTICE OF VIOLATION

ISSUE DATE

MO. 9 DAY 17 YR. 09

NAME OF LICENSEE/SHOP/SCHOOL OWNER

Heather Harford

ADDRESS

108 4th St Port Allen

LICENSE OR PERMIT #

439-31-4115

VIOLATION

Operating without the benefit of a shop license,

(Description - Include Code Reference If Possible)

## DISPOSITION

Action Taken: (Check if Applicable)

1. Warning

2. Fine

3. Administrative

Hearing

Amount

Date

Date Rec'd

To be Notified

Stockstie Margaret Keller

INSPECTOR/INVESTIGATOR SIGNATURE

Received:

Heather Harford

LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATURE

DATE

9-17-09



State of Louisiana  
Louisiana State Board of Cosmetology  
(225) 756-3404

33854

**NOTICE OF VIOLATION**

ISSUE DATE

MO. 10 DAY 17YR. 09

NAME OF LICENSEE/SHOP/SCHOOL OWNER Heather Hariford

ADDRESS 108 4th St Port Allen

LICENSE OR PERMIT # 439-31-4115

VIOLATION Cos Hldg.

Heather Hariford, states she will go to ofc. Monday 21-09 to pay fee.

(Description - Include Code Reference If Possible)

DISPOSITION

Action Taken: (Check if Applicable)

- |                   |       |        |                            |
|-------------------|-------|--------|----------------------------|
| 1. Warning        | _____ |        |                            |
| 2. Fine           | _____ | Amount | _____ Date Rec'd _____     |
| 3. Administrative |       |        |                            |
| Hearing           | _____ | Date   | _____ To be Notified _____ |

S Stockster, Margaret Kelle  
INSPECTOR/INVESTIGATOR SIGNATURE

Received:

Heather Hariford  
LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATURE

DATE 9-17-09



## State of Louisiana

Louisiana State Board of Cosmetology  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbclouisiana.gov](http://www.lsbclouisiana.gov)

Bobby Jindal  
Governor

Michael-John Gaspard, Chairman  
Metairie LA

Allen D. Crochet  
Westlake LA

Taquilla F. Hamilton  
Harvey LA

Carolyn L. Robicheaux  
Baldwin LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Vivian L. Glaze  
Pineville LA

Geneva L. Jones  
Benton LA

Aleshia J. Smith  
Hahnville LA

Stephen Young  
Assistant Director

*January 5*, 2010

Heather Hariford  
159 Richard Street  
Brusly, LA 70719

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Re: In The Matter Before the Louisiana State Board of Cosmetology; In The  
Matter of Heather Hariford (Docket No. 10-006)

Dear Ms. Hariford:

I wish to advise you that, pursuant to the provisions of LAC 46:XXX1.1301-1305 and La. R.S. 49:955, you are hereby notified that the Louisiana State Board of Cosmetology will hold an Administrative Hearing on February 1, 2010, at 9:00 o'clock a.m. at the office of Louisiana State Board of Cosmetology, 11622 Sunbelt Court, Baton Rouge, Louisiana 70809.

Enclosed please find the "Notice to Show Cause Why License Should Not Be Suspended or Revoked." The hearing will be held pursuant to the provisions of LAC 46:XXX1.1301-1305, and La. R.S. 49:961.

The purpose of the hearing is to consider testimony as to the allegations concerning your violations of statutes regulated by the Board. The specific allegations of misconduct are detailed in the enclosed Administrative Complaint.

We further advise you that these are serious charges and that you should consult an attorney.

If you feel that you will require the services of a language interpreter to participate in this hearing, please contact the Board's executive director immediately.

EXHIBIT

Board 2

January 5, 2010  
Page 2

If there are any questions regarding this matter, please contact the complaint counsel,  
Celia R. Cangelosi, P.O. Box 3036, Baton Rouge, LA 70821-3036, (225) 387-0511.

Very truly yours,

LOUISIANA STATE BOARD OF  
COSMETOLOGY

*Jackie Burdette*  
JACKIE BURDETTE, Executive Director

JB/tsc

Enclosures

cc: Celia R. Cangelosi, Complaint Counsel  
Sheri Morris, General Counsel

7009 2250 0004 0562 3627

U.S. Postal Service	
CERTIFIED MAIL, RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
OFFICIAL USE	
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endr	
Postmark Here	
To:	Ms. Heather Harford
	159 Richard Street
	Brusly, LA 70719
Sent	
Street	
or PO	
City, State, ZIP+4	
PS Form 3800, April 2006 See reverse for instructions	

BEFORE THE  
LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
HEATHER HARIFORD

(COSMETOLOGIST LICENSE No.  
\*\*\*\*\*4115)

DOCKET NO. 10- 006

NOTICE TO SHOW CAUSE WHY  
LICENSE SHOULD NOT BE SUSPENDED OR REVOKED

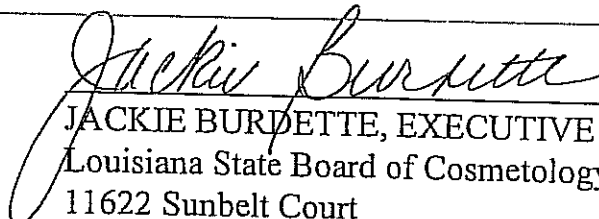
In accordance with the provisions of the La R.S. 37:600, et seq., you are hereby notified to show cause before the Louisiana State Board of Cosmetology ("Board") on February 1, 2010, at 9:00 o'clock a.m., or such other time to which the hearing may be continued, at the office of the Louisiana State Board of Cosmetology, 11622 Sunbelt Court, Baton Rouge, Louisiana, why the license of HEATHER HARIFORD, as a cosmetologist in the State of Louisiana, should not be revoked or suspended, or other action taken in accordance with law for the reasons as set forth in the attached Administrative Complaint.

You are advised that you may appear in proper person or with counsel at this hearing which will be conducted under the provisions of La. R.S. 37:600 et seq.; La. R.S. 49:955 - 958; and LAC 46:XXX1.1301-1305. You or your counsel have the right to participate in this hearing and you may testify and may produce witnesses to testify in your behalf. Any competent evidence you have in this matter may be offered by you or your counsel. A record of the testimony adduced will be made.

Please notify the Board as to whether you will attend the meeting and the name, address and telephone number of your legal counsel, if any. The Board's complaint counsel is listed below.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, EXECUTIVE DIRECTOR  
Louisiana State Board of Cosmetology  
11622 Sunbelt Court  
Baton Rouge, Louisiana 70809

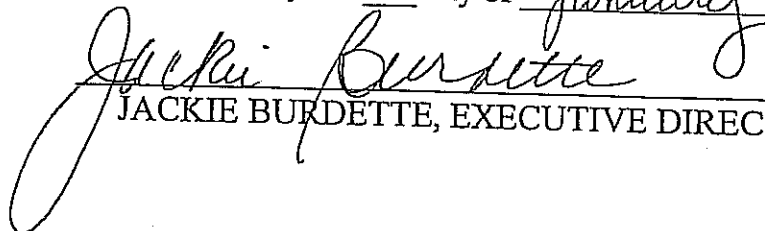
COMPLAINT COUNSEL:

CELIA R. CANGELOSI  
918 Government St.  
P.O. Box 3036  
Baton Rouge, LA 70821-3036  
PHONE: (225) 387-0511

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing Notice To Show Cause Why License Should Not Be Suspended or Revoked and annexed Amended Administrative Complaint has been served on the individual designated above by first class mail and by certified mail, return receipt requested No. 7009 2250 0004 0562 362 7

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

  
JACKIE BURDETTE, EXECUTIVE DIRECTOR

BEFORE THE  
LOUISIANA STATE BOARD OF COSMETOLOGY

----- :  
IN THE MATTER OF :  
HEATHER HARIFORD :

(COSMETOLOGIST LICENSE No. :  
\*\*\*\*\*4115) :

DOCKET NO. 10- 006

ADMINISTRATIVE COMPLAINT  
----- :

Acting in her official capacity as Executive Director of the LOUISIANA STATE BOARD OF COSMETOLOGY ("BOARD") with respect to the above-entitled matter, JACKIE BURDETTE, as complainant herein, through undersigned counsel, asserts the following Administrative Complaint against the named Respondent:

RESPONDENT

1. Respondent, HEATHER HARIFORD was licensed by the BOARD as a cosmetologist in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 et seq., as evidenced by Cosmetologist License No. \*\*\*\*\*4115.

2. The license of HEATHER HARIFORD as a cosmetologist in the State of Louisiana expired on August 3, 2008, and was not timely renewed.

FACTS

3. On or about September 17, 2009, at 108 4<sup>th</sup> Street, Port Allen, LA, it was discovered that HEATHER HARIFORD was working there as a cosmetologist with an expired Louisiana cosmetologist license.

4. The license of HEATHER HARIFORD as a cosmetologist had expired on August 3, 2008, and had not been timely renewed.

5. The location at which HEATHER HARIFORD was working on or about September 17, 2009, was not licensed as a cosmetology salon.

### VIOLATIONS

Count 1 ~~No person shall engage in the practice of cosmetology without obtaining a current certificate of registration for the appropriate area of practice (La. R.S. 37:581A);~~

Count 2 No person shall operate a beauty shop or salon in the State of Louisiana without a certificate of registration issued by the Board (La. R.S. 37:591A);

Count 3 Engaging in unprofessional conduct that is likely to endanger the health, safety and welfare of the public (La. R.S. 37:600A(3)); and

Count 4 Violation of any provision of this Chapter (La. R.S. 37:600A(12)).

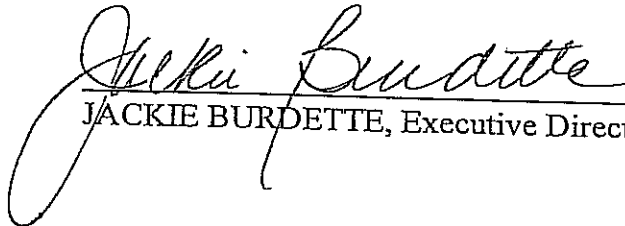
The activities of Respondent by operating as a cosmetologist with an expired cosmetologist license violate La. R.S. 37:581A, La. R.S. 37:600A(3) and La. R.S. 37:600A(12); and by operating as a cosmetology salon without a cosmetology salon license violate La. R.S. 37:591(A), La. R.S. 37:600A(3) and La. R.S. 37:600A(12); and constitute sufficient cause for the revocation and/or suspension or other sanction of the license of HEATHER HARIFORD as a cosmetologist in the State of Louisiana.

WHEREFORE, Complainant prays that this Administrative Complaint be accepted for filing and docketed for hearing before the Board; and that, pursuant to the applicable provisions of the Louisiana Cosmetology Law, La. R.S. 37:561 et seq., and the Administrative Procedure Act, La. R.S. 49:955-58, and the Rules and Regulations adopted by this Board, LAC 46:XXX1.1301-1305, this matter be fixed for administrative evidentiary hearing before the

Board; that notice of such hearing be duly served on Respondent, together with a copy of this within Administrative Complaint; and that, following due proceedings therein, the Board render a decision, upon written findings of fact and conclusions of law, revoking and/or suspending or otherwise sanctioning the license of Respondent, HEATHER HARIFORD, as a cosmetologist in the State of Louisiana; and assessing a monetary fine against Respondent of up to \$200.00 per violation, not to exceed \$5,000.00, and all costs of the investigation and these proceedings, including attorney's fees, all as provided by La. R.S. 37:600, et seq.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, Executive Director

**COMPLAINT COUNSEL:**

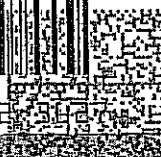
CELIA R. CANGELOSI  
918 Government St.  
P.O. Box 3036  
Baton Rouge, LA 70821-3036  
PHONE: (225) 387-0511



ate Board of Cosmetology  
Sunbelt Court  
Rouge, LA 70809



7009 2250 0004 0562



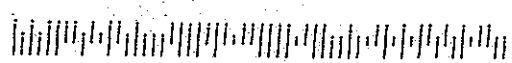
YES POST  
\$05.71  
MAILED FROM ZIP CODE 70809

UNCLAIMED  
WIN

Ms. Heather Hariford  
159 Richard Street  
Brusly, LA 70719

JAN 24 2010  
JAN 24 4 PM

JAN 27 2010



State of Louisiana  
Louisiana State Board of Cosmetology  
(225) 756-3404

33853

REC'D SEP 23 2009

**NOTICE OF VIOLATION**

ISSUE DATE

MO. 9 DAY 17 YR. 09

NAME OF LICENSEE/SHOP/SCHOOL OWNER

Heather Hariford

ADDRESS

108 4th St Port Allen

LICENSE OR PERMIT #

439-31-4115

VIOLATION

Operating without the benefit of a shop license.

(Description - Include Code Reference If Possible)

DISPOSITION

Action Taken: (Check if Applicable)

1. Warning

2. Fine

3. Administrative

Hearing

Amount

Date

Date Rec'd

To be Notified

Stockstie Margaret Kelle  
INSPECTOR/INVESTIGATOR SIGNATURE

Received:

Heather Hariford  
LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATURE

DATE

9-17-09

EXHIBIT

Board 3

State of Louisiana  
Louisiana State Board of Cosmetology  
(225) 756-3404

33854

**NOTICE OF VIOLATION**

ISSUE DATE

MO. 10 DAY 17YR. 09

NAME OF LICENSEE/SHOP/SCHOOL OWNER Heather Hariford

ADDRESS 108 4th St Port Allen

LICENSE OR PERMIT # 439-31-4115

VIOLATION Cos. Hldg.  
Heather Hariford states she will go to ofc.  
Monday 2/17/09 to pay fee.

(Description - Include Code Reference If Possible)

DISPOSITION

Action Taken: (Check if Applicable)

- |                   |       |        |                            |
|-------------------|-------|--------|----------------------------|
| 1. Warning        | _____ |        |                            |
| 2. Fine           | _____ | Amount | _____ Date Rec'd _____     |
| 3. Administrative |       |        |                            |
| Hearing           | _____ | Date   | _____ To be Notified _____ |

S. Stockstee, Margout Kelle  
INSPECTOR/INVESTIGATOR SIGNATURE

Received:

Heather Hariford  
LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATURE

DATE 2-17-09

7009 3410 0001 7062 6073

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	

Postmark  
Here

Sent to **Ms. Heather Harford**  
Street, Apt. or PO Box **159 Richard Street**  
City, State **Brusly, LA 70719**

PS Form 3800, June 2004 See Reverse for Instructions



# Board Order

Hair Mirage  
(John C. Bryant, Owner)

Docket No. 10-008



BEFORE THE  
LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
HAIR MIRAGE  
4045 Curtis Lane  
Shreveport, LA 71109  
(JOHN BRYANT, Owner)

(COSMETOLOGY SALON No.  
\*\*\*\*\*3411-1)-Expired

DOCKET NO. 10-008

ORDER

Upon considering the request for continuance filed by John C. Bryant, individually and as owner of Hair Mirage, and the lack of objection to the continuance by Board Complaint Counsel:

IT IS ORDERED that the hearing set for February 1, 2010 in the captioned matter be and is hereby continued until March 1, 2010 at 9:00 a.m.

Baton Rouge, Louisiana, this 9<sup>th</sup> day of February, 2010.

LOUISIANA STATE BOARD OF  
COSMETOLOGY

By: 

**Service Information:**

Hair Mirage  
ATTN: John Bryant  
4045 Curtis Lane  
Shreveport, LA 71109



January 26, 2010

Dear Attny. Cangelosi:

As per our conversation on or about January 18, 2010, I am currently unable to attend the hearing set forth on Feb. 1, 2010, due to current health issues during the last year which has placed me under tremendous financial strain. However, please allow me an extension on the amount due (\$1700.00). I will make the payment as soon as possible within the next 30-60 days.

Thank you very much for your consideration in this matter.  
Yours truly, John C. Bryant

# Board Order

C-Nay's Beauty Salon

Docket No. 10-009



LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
C-NAY'S BEAUTY SALON

DOCKET NO. 10-009

(COSMETOLOGY SALON  
NO. \*\*\*\*\*1033-1)

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came for hearing in an open meeting before the Louisiana State Board of Cosmetology ("Board") held on February 1, 2010 at its office located at 11622 Sunbelt Court, Baton Rouge, Louisiana 70809.

Present were:

Board members: Frances K. Hand, Vice-Chair, Vivian "Lynn" Glaze, Taquilla Hamilton, Michael P. Horning, Geneva L. Jones, Sarah H. Kennison, and Carolyn L. Robicheaux;

Sheri M. Morris, serving as Counsel for the Board; and

Celia Cangelosi, serving as Complaint Counsel.

FINDINGS OF FACT

1. Respondent, C-NAY'S BEAUTY SALON, located at 6536 Hwy. 1 South, Innis, LA, was at all times applicable, licensed as a cosmetology salon in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561, *et seq.*, as evidenced by Cosmetology Salon License No. \*\*\*\*\*1033-1.

2. On May 21, 2009, an unlicensed individual was found to be operating as a cosmetologist at the licensed premises, Board Exhibit 3.

3. On September 9, 2009, by both Certified Mail No. 7007 2680 0002 7362 6361, Return Receipt Requested, and regular mail, C-NAY'S BEAUTY SALON was sent to the salon

address, the address of record, notice of the May 21, 2009 violations and asked to respond within an allotted period of time. The mailing sent certified mail, return receipt requested, was returned to the Board office marked "unclaimed," Board Exhibit 2.

4. On January 5, 2010, by both Certified Mail No. 7009 2250 0004 0562 3658, Return Receipt Requested, and regular mail, C-NAY'S BEAUTY SALON was mailed, to the salon address, the address of record, the original Administrative Complaint in the captioned matter and the Notice To Show Cause Why License Should Not Be Suspended or Revoked, with notice of the hearing to be held on February 1, 2010. That mailing was received at this salon address by Claudia Albert, Board Exhibit 1.

5. C-NAY'S BEAUTY SALON did not appear at the February 1, 2010 hearing.

### CONCLUSIONS OF LAW

Respondent, C-NAY'S BEAUTY SALON, Manicuring Salon No. \*\*\*\*\*1033-1, is found to be in violation of the following:

- a. La. R.S. 37:591(B)(1) by obtaining a certificate of registration as a beauty shop or salon, without certifying that all persons employed at such facility are appropriately licensed by their respective licensing board;
- b. La. R.S. 37:592(A) by permitting a person in her employ or under her supervision or control to practice cosmetology who does not possess the appropriate certificate or certificates of registration issued by the appropriate licensing board;
- c. La. R.S. 37:600A(3) by engaging in unprofessional conduct that is likely to endanger the health, safety and welfare of the public; and
- d. La. R.S. 37:600A(12) by violating provisions of the Louisiana Cosmetology Act, by allowing an unlicensed individual to work as a cosmetologist at the licensed premises on or about May 21, 2009.

### ORDER

IT IS ORDERED, ADJUDGED AND DECREED that the Louisiana Cosmetology Salon No. \*\*\*\*\*1033-1, belonging to C-NAY'S BEAUTY SALON, 6536 Hwy. 1 South, Innis, LA 70760, is hereby suspended for a period of 12 months or until all fines and costs set out herein are paid in full, after which the suspension will be suspended and the license placed on probation for a period of 2 years, subject to the following conditions of probation:

- [1] Within fifteen (15) days after this Order is approved by the Board, C-NAY'S BEAUTY SALON must provide the Board, in writing, with the name, address and Louisiana license number of each individual employed by or working at C-NAY'S BEAUTY SALON;
- [2] Thereafter C-NAY'S BEAUTY SALON shall provide to the Board, in writing, the name, address and Louisiana license number of any other individual hired or contracted with or otherwise providing services at C-NAY'S BEAUTY SALON prior to the services being provided at C-NAY'S BEAUTY SALON;
- [3] C-NAY'S BEAUTY SALON must provide to the Board, in writing, the name, address and Louisiana license number of any individual ceasing to perform services at C-NAY'S BEAUTY SALON within five (5) days of the date the individual ceases to perform services at C-NAY'S BEAUTY SALON;
- [4] No individual may provide any services at C-NAY'S BEAUTY SALON unless written notice is provided to the Board as set forth herein; and
- [5] C-NAY'S BEAUTY SALON shall post a copy of this Order in a conspicuous place near the cosmetology salon license during the period of probation;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondent, C-NAY'S BEAUTY SALON, is ordered to pay to the Louisiana State Board of Cosmetology a fine in the amount of \$200.00;

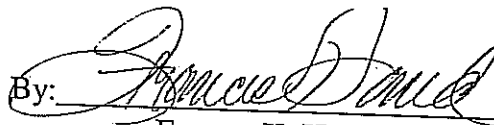
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as authorized by La. R.S. 37:604(C), Respondent, C-NAY'S BEAUTY SALON, is ordered to reimburse the Board all costs

incurred in connection with these proceedings, including but not limited to investigator's costs, stenographer costs and attorney fees of \$600.00; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, before the license of C-NAY'S BEAUTY SALON will be considered for reinstatement, all fines and costs set out herein, must be paid in full.

Signed this 1st day of ~~February~~, 2010.  
*March*

LOUISIANA STATE BOARD OF COSMETOLOGY

By:   
Frances K. Hand, Vice-Chairman



## State of Louisiana

Louisiana State Board of Cosmetology

11622 Sunbelt Court, Baton Rouge, LA 70809

(225) 756-3404 Telephone - (225) 756-3410 Fax

Web Address: [www.lsbclouisiana.gov](http://www.lsbclouisiana.gov)

Bobby Jindal  
Governor

Michael-John Gaspard, Chairman  
Metairie LA

Allen D. Crochet  
Westlake LA

Taquilla F. Hamilton  
Harvey LA

Carolyn L. Robicheaux  
Baldwin LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Vivian L. Glaze  
Pineville LA

Geneva L. Jones  
Benton LA

Aleshia J. Smith  
Hahnville LA

Stephen Young  
Assistant Director

*January 5* 2010

C-Nay's Beauty Salon

P.O. Box 968

Innis, LA 70760

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Attn: Claudine Albert, Owner

Re: In The Matter Before the Louisiana State Board of Cosmetology; In The Matter of  
C-Nay's Beauty Salon (Docket No. 10-009)

Dear Ms. Albert:

I wish to advise you that, pursuant to the provisions of LAC 46:XXX1.1301-1305 and La. R.S. 49:955, you are hereby notified that the Louisiana State Board of Cosmetology will hold an Administrative Hearing on February 1, 2010, at 9:00 o'clock a.m. at the office of Louisiana State Board of Cosmetology, 11622 Sunbelt Court, Baton Rouge, Louisiana 70809.

Enclosed please find the "Notice to Show Cause Why License Should Not Be Suspended or Revoked." The hearing will be held pursuant to the provisions of LAC 46:XXX1.1301-1305 and La. R.S. 49:961.

The purpose of the hearing is to consider testimony as to the allegations concerning your violations of statutes regulated by the Board. The specific allegations of misconduct are detailed in the enclosed Administrative Complaint.

We further advise you that these are serious charges and that you should consult an attorney.

EXHIBIT

Board 1



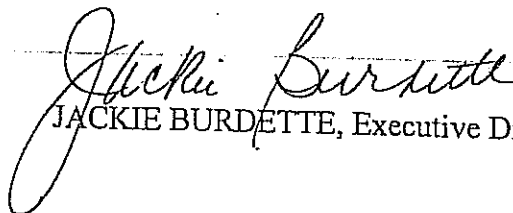
January 5, 2010  
Page 2

---

If there are any questions regarding this matter, please contact the complaint counsel, Celia R. Cangelosi, P.O. Box 3036, Baton Rouge, LA 70821-3036, (225) 387-0511.

Very truly yours,

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, Executive Director

JB/tsc

Enclosures

cc: Celia R. Cangelosi, Complaint Counsel  
Sheri Morris, General Counsel

BEFORE THE  
LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
C-NAY'S BEAUTY SALON

(COSMETOLOGY SALON No.  
\*\*\*\*\*1033-1)

DOCKET NO. 10- 009

NOTICE TO SHOW CAUSE WHY  
LICENSE SHOULD NOT BE SUSPENDED OR REVOKED

In accordance with the provisions of the La R.S. 37:600, et seq., you are hereby notified to show cause before the Louisiana State Board of Cosmetology ("Board") on February 1, 2010, at 9:00 o'clock a.m., or such other time to which the hearing may be continued, at the office of the Louisiana State Board of Cosmetology, 11622 Sunbelt Court, Baton Rouge, Louisiana, why the license of C-NAY'S BEAUTY SALON, 6536 Hwy. 1 South, P.O. Box 968, Innis, LA 70760 (Claudine Albert, Owner), as a cosmetology salon in the State of Louisiana, should not be revoked or suspended, or other action taken in accordance with law, for the reasons as set forth in the attached Administrative Complaint.

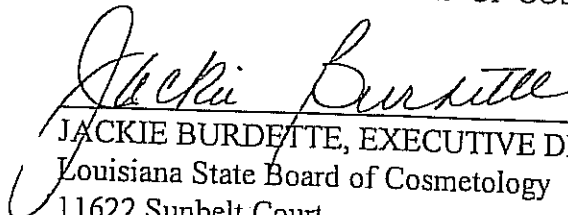
You are advised that you may appear in proper person or with counsel at this hearing which will be conducted under the provisions of La. R.S. 37:600 et seq.; La. R.S. 49:955 - 958; and LAC 46:XXX1.1301-1305. You or your counsel have the right to participate in this hearing and you may testify and may produce witnesses to testify in your behalf. Any competent evidence you have in this matter may be offered by you or your counsel. A record of the testimony adduced will be made.

Please notify the Board as to whether you will attend the meeting and the name, address and

telephone number of your legal counsel, if any. The Board's complaint counsel is listed below.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, EXECUTIVE DIRECTOR  
Louisiana State Board of Cosmetology  
11622 Sunbelt Court  
Baton Rouge, Louisiana 70809

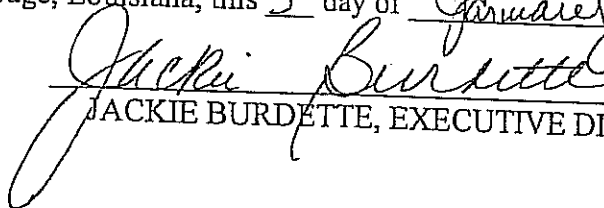
COMPLAINT COUNSEL:

CELIA R. CANGELOSI  
918 Government St.  
P.O. Box 3036  
Baton Rouge, LA 70821-3036  
PHONE: (225) 387-0511

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing Notice To Show Cause Why License Should Not Be Suspended or Revoked and annexed Administrative Complaint has been served on the individual designated above by first class mail and by certified mail, return receipt requested No. 1009 2250 0004 0562 3658

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

  
JACKIE BURDETTE, EXECUTIVE DIRECTOR

BEFORE THE  
LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
C-NAY'S BEAUTY SALON

(COSMETOLOGY SALON No.  
\*\*\*\*\*1033-1)

DOCKET NO. 10- 009

ADMINISTRATIVE COMPLAINT

Acting in her official capacity as Executive Director of the LOUISIANA STATE BOARD OF COSMETOLOGY (hereinafter "Board") with respect to the above-entitled matter, JACKIE BURDETTE, as complainant herein, through undersigned counsel, asserts the following Administrative Complaint against the named Respondent:

RESPONDENT

1. Respondent, C-NAY'S BEAUTY SALON, located at 6536 Hwy. 1 South, Innis, LA, was at all times applicable, licensed as a cosmetology salon in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 et seq., as evidenced by Cosmetology Salon License No. \*\*\*\*\*1033-1.

2. CLAUDINE ALBERT is and, at all times material to the facts and matters alleged herein, was the owner of the cosmetology salon, C-NAY'S BEAUTY SALON, and was at all times applicable, not licensed as a cosmetologist in the State of Louisiana.

FACTS

3. On or about May 21, 2009, an unlicensed individual, Claudine Albert, the shop owner, was found to be operating as a cosmetologist at the licensed premises.

## VIOLATIONS

- Count 1 In order to obtain a certificate of registration as a beauty shop or salon, the owner of such business shall... (1) certify that all persons employed at such facility are appropriately licensed by their respective licensing board (La. R.S. 37:591(B)(1));
- Count 2 No person licensed by the board shall permit any person in his employ or under his supervision or control to practice cosmetology or barbering who does not possess the appropriate certificate or certificates of registration issued by the appropriate licensing board (La. R.S. 37:592(A));
- Count 3 Engaging in unprofessional conduct is likely to endanger the health, safety and welfare of the public (La. R.S. 37:600(A)(3)); and
- Count 4 Violation of any provision of this Chapter (La. R.S. 37:600(A)(12)).

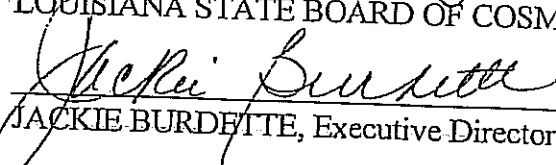
The activities of Respondent in allowing an unlicensed operator to operate as a cosmetologist on the licensed premises violate La. R.S. 37:591(B)(1), La. R.S. 37:592(A), La. R.S. 37:600(A)(3) and La. R.S. 37:600(A)(12); and constitutes sufficient cause for the revocation and/or suspension or other sanction of the cosmetology salon license of C-NAY'S BEAUTY SALON as a cosmetology salon in the State of Louisiana.

WHEREFORE, Complainant prays that this Administrative Complaint be accepted for filing and docketed for hearing before the Board; and that, pursuant to the applicable provisions of the Louisiana Cosmetology Law, La. R.S. 37:561 et seq., and the Administrative Procedure Act, La. R.S. 49:955-58, and the Rules and Regulations adopted by this Board, LAC 46:XXX1.1301-1305, this matter be fixed for administrative evidentiary hearing before the Board; that notice of such hearing be duly served on Respondent, together with a copy of this within Administrative Complaint; and that, following due proceedings therein, the Board render a decision, upon written findings of fact and conclusions of law, revoking and/or suspending or otherwise sanctioning the cosmetology salon license of Respondent, C-NAY'S BEAUTY SALON, in the State of Louisiana; and assessing a

monetary fine against Respondent of up to \$200.00 per violation, not to exceed \$5,000.00, and assessing against Respondent all costs of the investigation and these proceedings, including attorney's fees, all as provided by La. R.S. 37:600, et seq.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, Executive Director

**COMPLAINT COUNSEL:**

CELIA R. CANGELOSI  
918 Government St.  
P.O. Box 3036  
Baton Rouge, LA 70821-3036  
PHONE: (225) 387-0511

7009 2250 0004 0562 3658

<b>U.S. Postal Service™ RECEIPT</b> (Domestic Mail Only: No Insurance Coverage Provided) For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total	
Sent To P.O. Box 968 Innis LA 70760 Street City, St.	
PS Form 3811, August 2006 See Reverse for Instructions	

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CNay's Beauty Salon  
 P.O. Box 968  
 Innis LA 70760

2. Article Number

(Transfer from service)

7009 2250 0004 0562 3658

PS Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Kamila*☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

 D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail    ☐ Express Mail  
☐ Registered    ☒ Return Receipt for Merchandise  
☐ Insured Mail    ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

102585-02-M-1540



Bobby Jindal  
Governor

**State of Louisiana**  
**Louisiana State Board of Cosmetology**  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbclouisiana.gov](http://www.lsbclouisiana.gov)

Michael-John Gaspard, Chairman  
Metairie LA

Lynn Glaze  
Pineville LA

Michael P. Horning  
Franklinton LA

Sarah H. Kennison  
Lake Charles LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Taquilla Hamilton  
Havet LA

Geneva L. Jones  
Benton LA

Carolyn L. Robicheaux  
Baldwin LA

Stephen Young  
Assistant Director

*[Signature]* 9, 2009

C-Nay's Beauty Salon  
P.O. Box 968  
Innis, LA 70760

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Attn: Claudine Albert, Owner

RE: C-Nay's Beauty Salon (Cosmetology  
Salon No. \*\*\*\*\*1033-1); Violation No.  
032294; Inspection Report No. 166237

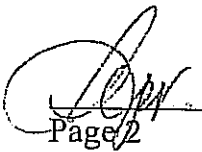
Dear Ms. Albert:

This letter is to inform you that the Board has received the enclosed Inspection Report No. 166237 and Notice of Violation No. 032294 indicating that C-Nay's Beauty Salon may have acted in violation of Louisiana Cosmetology Act, by allowing an unlicensed individual to work as a cosmetologist on or about May 21, 2009, on the licensed premises without legal authorization and in violation of La. R.S. 37:600A(3), La. R.S. 37:600A(12), La. R.S. 37:591B(1), and La. R.S. 37:592A.

**EXHIBIT**

Board 2



 9, 2009  
Page 2

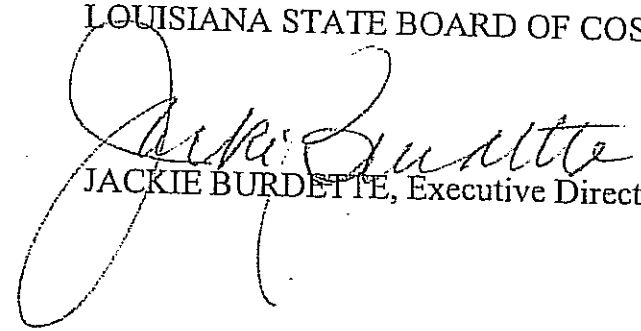
In accordance with La. R.S. 49:961(C), you are given an opportunity to show compliance with all lawful requirements for the retention of the license of C-Nay's Beauty Salon as a cosmetology salon within the State of Louisiana by submitting a written statement and any supporting documentary evidence which would demonstrate compliance with the Louisiana Cosmetology Act.

Your response must be received by the Board office no later than 10 days following your receipt of this letter. Failure to respond within the delay provided will be deemed a waiver of your right to informally show compliance and the matter will be scheduled for formal hearing before the Board.

If you have any questions or require additional information regarding this matter, please contact the Board's attorney, Celia R. Cangelosi, at (225) 387-0511.

Sincerely,

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, Executive Director

Enclosures

cc: Celia R. Cangelosi

## Louisiana State Board of Cosmetology

(225) 756-3404

## NOTICE OF VIOLATION

ISSUE DATE \_\_\_\_\_

MO. 5 DAY 21 YR. 09NAME OF LICENSEE/SHOP/SCHOOL OWNER C-Nay's Beauty Salon - Alberto *owner*ADDRESS 6536 Hwy 13 - Innis - P.O. Box 968 *Clasencia*LICENSE OR PERMIT # 437-214033 - 2777030230VIOLATION Working with-out license - Administrative  
Hearing - Applying Straightener on Hair - Mr.  
Alberto Clasencia is not licensed with the cosmetology Board  
only - Owner & Manager license -

(Description - Include Code Reference If Possible)

## DISPOSITION

Action Taken: (Check if Applicable)

- |                   |          |                |                  |
|-------------------|----------|----------------|------------------|
| 1. Warning        | _____    |                |                  |
| 2. Fine           | _____    | Amount         | _____            |
| 3. Administrative |          |                | Date Rec'd _____ |
| Hearing           | <u>/</u> | Date           | <u>/</u>         |
|                   |          | To be Notified | <u>/</u>         |

Det. Cassell  
INSPECTOR/INVESTIGATOR SIGNATURE

Received: \_\_\_\_\_

X. [Signature]  
LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATUREDATE 5-21-09

# Louisiana State Board of Cosmetology Inspection Report

No 166237

INSPECTOR Det Cassell INSPECTOR'S DISTRICT 5 DATE 5/21/09  
 NAME OF SHOP C. Naylor Beauty Salon OWNER-CO'S. LICENSE NO. 437-21-1033  
 SHOP OWNER Albert Claude LICENSE NO. 1-772030230  
 SHOP ADDRESS P.O. Box 968 - 1531 Hwy 1 South PHONE NO. 225-492-2534  
 CITY Danville PARISH Pointe Coupee STATE LA ZIP 70760 TIME 4:20 - 4:30  
 MANAGER'S NAME \_\_\_\_\_ COS-MANAGER'S LICENSE NO. \_\_\_\_\_  
 ASSISTANT MANAGER'S NAME (if required) \_\_\_\_\_ CO-MANAGER'S LICENSE NO. \_\_\_\_\_  
 IS OWNER'S 19 59 REG. CERT. WITH PICTURE NO POSTED yes  
 IS MANAGER'S 19 09 REG. CERT. WITH PICTURE NO POSTED yes  
 ARE OPERATOR'S 19 09 REG. CERT. WITH PICTURE NO POSTED yes  
 DOES SHOP HAVE "LA ADMINISTRATIVE CODE, TITLE 46, PART XXXI, COSMETOLOGISTS" ON PREMISES yes  
 DOES SHOP HAVE BLOOD SPILL KIT ON PREMISES yes

MARK WITH A CHECK [✓] IF SATISFACTORY OR AN [X] IF UNSATISFACTORY

Sterilizers: Wet ✓ Dry ✓  
 Soiled towels in covered container: ✓  
 Clean towels in enclosed cabinet: ✓  
 Covered waste containers: ✓  
 Shop well lighted ✓ Well ventilated ✓  
 Shampoo bowl connected with hot/cold water ✓  
 Combs, brushes, rollers, implements, etc., clean and properly sterilized ✓  
 Floors, walls, fixtures, work stations clean ✓  
 Rest room clean and sanitary ✓  
 Do you find this shop clean, orderly and sanitary yes

## MANICURING SALONS ONLY

Adequate ventilation ✓ Well lighted ✓  
 Small manicuring sterilizer on each station ✓  
 Disinfectant solution, alcohol, etc., on each station ✓  
 All bottles labeled ✓  
 All implements clean, properly sterilized, and stored ✓  
 Cotton balls in covered containers ✓  
 Covered waste containers ✓  
 Clean towels in enclosed cabinet ✓  
 Towels changed on manicure table after each client ✓  
 Lavatory with hot ✓ cold ✓ water ✓  
 Do you find this shop clean, orderly and sanitary yes

LIST OPERATOR'S NAMES AND CERTIFICATION NUMBERS:

Maude E. Marshall Alexander - 33 7911 - (2008 License expired)  
Barbara  
Robert Claude - 437-52-4001 - 12 93171122 - 11-20  
416857  
Robert Claude - 437-21-1033 - 1-777030230 - 8-29-74 - 419922-34  
4120900 Reg.

REMARKS: (437-21-1033)  
Top Albert Claude had customer doing hair  
applying straightener to hair. Look old when I came  
She had straightener on her head & hair - only finished the  
hair - hair - I saw administrative  
Administrative violation 032602 - (CK 1137) Cotton ball Bank P/S - 9/24/08  
Administrative violation 032695 - (CK 1137) Cotton ball Bank P/S - 9/24/08  
Administrative violation 03394 - Barber  
Ma Albert Claude had only 2 customers  
and a child in the shop  
Signature of Shop Owner or Manager

WHITE - OFFICE COPY

CANARY - INSPECTOR COPY

PINK - SHOP COPY

7007 2680 0002 7362 6361

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

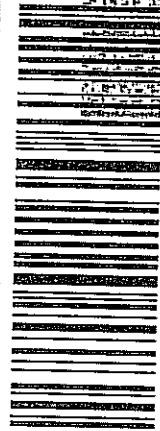
Postmark  
Here

To

Sent  
City  
State  
or F  
P.O. Box 968  
Innis LA 70760

PS Form 3800, May 2002 (Instructions)

LA State Board of Cosmetology  
11622 Sunbelt Court  
Baton Rouge, LA 70809



7007 2680 0002 736

05719

UNC

CNay's Beauty Salon  
P.O. Box 968  
Innis LA 70760

9-10-2009

NIXIE

708 5C 1

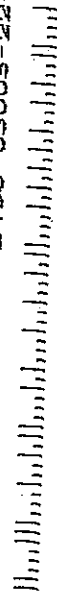
02 10/22/09

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 70809427599

\*2493-05005-22-20

708094275



IMMEDIATELY REMOVE THIS STICKER FROM THE TOP OF THE MAILPIECE AND PLACE IT ON THE TOP OF THE MAILPIECE. DO NOT REMOVE THE STICKER FROM THE MAILPIECE. IF YOU DO, THE MAILPIECE WILL BE RETURNED TO THE SENDER.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

~~C. N. Beauty Salon  
P.O. Box 978  
Innis LA 70760~~

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
**X**

☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☒ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service lab)

7007 2680 0002 7362 636J

PS Form 3811, February 2004

Domestic Return Receipt

State of Louisiana  
Louisiana State Board of Cosmetology  
(225) 756-3404

032296

**NOTICE OF VIOLATION**

ISSUE DATE

MO. 5 DAY 21 YR. 09

NAME OF LICENSEE/SHOP/SCHOOL OWNER C. Wray Beauty Salon

ADDRESS P.O. Box 968

LICENSE OR PERMIT # 437-21-1033

VIOLATION - Barber - license expired (Alexander)  
Current was - not posted (Amode-Eminence II)  
File 24887 Certificate # 337911  
(Not in Shop) 2008 - License: 123 Cherry St  
Today (Description - Include Code Reference If Possible) New Rd. - 70765

DISPOSITION

Action Taken: (Check if Applicable)

- |                   |                                     |        |       |                |       |
|-------------------|-------------------------------------|--------|-------|----------------|-------|
| 1. Warning        | <input checked="" type="checkbox"/> | Amount | _____ | Date Rec'd     | _____ |
| 2. Fine           | <input type="checkbox"/>            |        |       |                |       |
| 3. Administrative | <input type="checkbox"/>            | Date   | _____ | To be Notified | _____ |
| Hearing           | <input type="checkbox"/>            |        |       |                |       |

Dae Carroll  
INSPECTOR/INVESTIGATOR SIGNATURE

Received: \_\_\_\_\_

X [Signature]  
LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATURE

DATE 5/21/09

**EXHIBIT**

Board 3

tabbies

Staple this form to the back of the completed NOTICE OF VIOLATION FORM

## Unlicensed Operator Investigation Form

Name of Unlicensed Operator: Albert Claudine SSN of Unlicensed Operator: 437-21-1033

Address of Unlicensed Operator: P.O Box 968 - 6536 Hwy 1 South (Phy)  
Innis LA 70760

Name of Facility Unlicensed Operator working in: C'Nay Beauty Salon - Supplie.

Facility Tax Id/Certification Number: 437-21-1033-1 - L777030230

Address of Facility: 6536 Hwy 1 - South  
Innis LA 70760

Owner of the Facility: Albert Claudine SSN of Facility Owner: 437-21-1033

Address of Facility Owner: Same  
(If not same)

Inspector observation of violation: Walk in the shop - Ms Albert Claudine walk  
seen me - Two Adults & one teenager were in the shop "No license  
operator in the building" One of the Adult lady had a  
relaxer in her hair - I observed Ms Albert Claudine had  
relaxer on her hands - Ms. Albert Claudine ask the teenager  
to rinse the relaxer out of the patrons hair, I told Ms  
Albert Claudine that she couldn't do that. She wasn't licensed  
I told Ms Albert to finish what she started so the patron wouldn't  
lose her hair.

"Mrs Albert Claudine was doing the customer's hair - She  
had relaxer all over her hands - "No" operator was in the  
shop or on the premises -

Issued 3/ Violation - Exp Barber - License  
Assued Administrative Hearing - Violation 032296  
No picture - \$75 collected Violation - 032302  
032295  
Violation 032296



7009 3410 0001 7062 6080

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total	

Postmark  
Here

Sent to  
Street,  
or P.O. Box  
City, State  
Zip+4

CNay's Beauty Salon  
P.O. Box 968  
Innis LA 70760

PS Form 3800, August 2008  
Use only with mail paid for by the sender

# Board Order

Ngoc Trang Thi Nguyen

Docket No. 10-010



LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
NGOC TRANG THI NGUYEN

DOCKET NO. 10-010

(MANICURIST LICENSE No.  
\*\*\*\*\*9357)

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

This matter came for hearing in an open meeting before the Louisiana State Board of Cosmetology ("Board") held on February 1, 2010, at its office located at 11622 Sunbelt Court, Baton Rouge, Louisiana 70809.

Present were:

Board members: Frances K. Hand, Vice-Chair, Vivian "Lynn" Glaze, Taquilla Hamilton, Michael P. Horning, Geneva L. Jones, Sarah H. Kennison, and Carolyn L. Robicheaux;

Sheri M. Morris, serving as counsel for the Board;

Celia Cangelosi, serving as Complaint Counsel;

Natalie Washington, serving as language interpreter; and

NGOC TRANG THI NGUYEN, owner of LA NAILS.

**PROPOSED FINDINGS OF FACT**

1. NGOC TRANG THI NGUYEN is and, at all times material to the facts and matters alleged herein, the owner of the manicuring salon, LA NAILS, and was licensed as a manicurist in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 *et seq.*, as evidenced by Manicurist License No. \*\*\*\*\*9357.

2. LA NAILS, located at 1602 S. Burnside, Suite A, Gonzales, LA, was at all times material to the facts and matters alleged herein, licensed as a manicuring salon in the State of

Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 *et seq.*, as evidenced by Manicuring Salon License No. \*\*\*\*\*9357-0.

3. On September 9, 2009, waxing paraphernalia was present in the salon indicating that waxing was being conducted on the licensed premises of LA NAILS, Board Exhibit 4.

4. Waxing is not an activity lawfully conducted at a manicuring salon.

5. On November 2, 2009, NGOC TRANG THI NGUYEN as owner of LA NAILS, signed a Consent Agreement admitting that the manicuring salon violated La. R.S. 37:600A(3), La. R.S. 37:600A(12) and La. R.S. 37:581A in relation to conducting waxing at the licensed location on or about September 9, 2009. The Board accepted the Consent Agreement on November 16, 2009, Board Exhibit 3.

6. On October 1, 2009, by Certified Mail No. 7007 2680 0002 7362 6750, Return Receipt Requested, NGOC TRANG THI NGUYEN was mailed notice of the complaint that is the subject matter of this hearing to her address of record, 13383 Old Dutchtown Avenue, Gonzales, LA 70727. The mailing was received at the address of record on October 2, 2009, Board Exhibit 1.

7. On January 5, 2010, by Certified Mail No. 7009 2250 0004 0562 3665, Return Receipt Requested, NGOC TRANG THI NGUYEN was mailed, to her address of record, the Administrative Complaint in the captioned matter and the Notice To Show Cause Why License Should Not Be Suspended or Revoked, with notice of the hearing to be held on February 1, 2010. That mailing was received at the address of record on January 8, 2010.

8. NGOC TRANG THI NGUYEN appeared and was assisted by language translator Natalie Washington.

### **CONCLUSIONS OF LAW**

Respondent, NGOC TRANG THI NGUYEN, Manicurist License No. \*\*\*\*\*9357, as owner of LA NAILS, violated of the following:

- a. La. R.S. 37:581(A) by engaging in the practice of cosmetology without obtaining a current certificate of registration for the appropriate area of practice under the provision of this Chapter;
- b. La. R.S. 37:600A(3) by engaging in unprofessional conduct that is likely to endanger the health, safety and welfare of the public; and
- c. La. R.S. 37:600A(12) by violating any provision of the Louisiana Cosmetology Act related to manicuring salons by allowing a waxing machine to operate and providing waxing services at LA NAILS, the salon she owned on or about September 9, 2009.

### **ORDER**

IT IS ORDERED, ADJUDGED AND DECREED that the Louisiana Manicurist License No. \*\*\*\*\*9357, belonging to NGOC TRANG THI NGUYEN, is suspended for a period of 12 months or until all fines and costs set out herein are paid in full, after which the suspension shall be suspended and the license placed on probation for a period of 2 years subject to the following special conditions of probation:

- [1] NGOC TRANG THI NGUYEN shall post a copy of this Order in a conspicuous place near her manicurist license; and
- [2] LA NAILS and/or NGOC TRANG THI NGUYEN shall not violate or be found guilty or violating any state, local or federal laws or regulations, including but not limited to laws and regulations relating to manicuring salons;


IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondent, NGOC TRANG THI NGUYEN, is ordered to pay to the Louisiana State Board of Cosmetology a fine in the amount of \$200.00;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as authorized by La. R.S. 37:604(C), Respondent, NGOC TRANG THI NGUYEN, is ordered to reimburse the Board \$1000.00 for costs incurred in connection with the proceedings, including but not limited to investigator costs, stenographer costs and attorney fees; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that before the license of NGOC TRANG THI NGUYEN shall not be considered for reinstatement until all fines and costs set out herein are paid in full.

Signed this 1st day of ~~February~~  
March, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

By:   
Frances K. Hand, Vice-Chairman



## State of Louisiana

Louisiana State Board of Cosmetology  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbcc.louisiana.gov](http://www.lsbcc.louisiana.gov)

Bobby Jindal  
Governor

Michael-John Gaspard, Chairman  
Metairie LA

Allen D. Crochet  
Westlake LA

Taquilla F. Hamilton  
Harvey LA

Carolyn L. Robicheaux  
Baldwin LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Vivian L. Glaze  
Pineville LA

Geneva L. Jones  
Benton LA

Aleshia J. Smith  
Hahnville LA

Stephen Young  
Assistant Director

Oct 1, 2009

Ngoc Trang Thi Nguyen  
13383 Old Dutchtown Avenue  
Gonzales, LA 70737

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

RE: Ngoc Trang Thi Nguyen (Manicurist  
License No. \*\*\*\*9357); Inspection Report  
No. 9357; Notice of Violation No. 029438

Dear Ms. Nguyen:

This letter is to inform you that the Board has received the enclosed Inspection Report No. 9357 and Notice of Violation No. 029438 indicating that you, as owner of La Nails, may have acted in violation of Louisiana Cosmetology Act by allowing the conducting of waxing on the licensed premises, licensed as a manicuring salon, on or about September 9, 2009, all without legal authorization and in violation of La. R.S. 37:600(A)(3), La. R.S. 37:600(A)(12) and La. R.S. 37:581(A).

In accordance with La. R.S. 49:961(C), you are given an opportunity to show compliance with all lawful requirements for the retention of your manicurist license within the State of Louisiana by submitting a written statement and any supporting documentary evidence which would demonstrate compliance with the Louisiana Cosmetology Act.

Your response must be received by the Board office no later than 10 days following your receipt of this letter. Failure to respond within the delay provided will be deemed a waiver of your right to informally show compliance and the matter will be scheduled for formal hearing before the Board.

EXHIBIT

Board 1

tabbles



Oct. 1, 2009  
Page 2

If you have any questions or require additional information regarding this matter, please contact the Board's attorney, Celia R. Cangelosi, at (225) 387-0511.

Sincerely,

LOUISIANA STATE BOARD OF COSMETOLOGY

*Jackie Burdette*  
JACKIE BURDETTE, Executive Director

Enclosures

cc: Celia R. Cangelosi

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b>	
<small>(Domestic Mail Only; No Insurance Coverage Provided)</small>	
<small>For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a></small>	
<b>OFFICIAL USE</b>	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
To: <b>Ngoc Trang Thi Nguyen</b>	
<b>13383 Old Dutchtown Avenue</b>	
<b>Gonzales LA 70737</b>	
PS Form 3800, August 2006 See Reverse for Instructions	

2. Article Number  
(Transfer from service label)  
PS Form 3811, February 2004

7007 2680 0002 7362 6750

Domestic Return Receipt

102595-02-M-1540

Ngoc Trang Thi Nguyen  
13383 Old Dutchtown Avenue  
Gonzales LA 70737

- SENDER: COMPLETE THIS SECTION**
- ☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
  - ☒ Print your name and address on the reverse so that we can return the card to you.
  - ☒ Attach this card to the back of the mailpiece, or on the front if space permits.
1. Article Addressed to:

<b>COMPLETE THIS SECTION ON DELIVERY</b>	
A. Signature	
<input checked="" type="checkbox"/> Agent	<input type="checkbox"/> Addressee
B. Received by <i>Ngoc Trang Thi Nguyen</i>	
C. Date of Delivery <i>10-2</i>	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If YES, enter delivery address below:	
3. Service Type	
<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

0529 2962 2000 0992 2002

State of Louisiana  
Louisiana State Board of Cosmetology  
(225) 756-3404

029438

**NOTICE OF VIOLATION**

ISSUE DATE

MO. 9 DAY 9 YR. 09

NAME OF LICENSEE/SHOP/SCHOOL OWNER

La. Nails

ADDRESS

1602 S Burnside St<sup>A</sup>

LICENSE OR PERMIT #

L-770832683

VIOLATION

Working equipments and supplies  
was displayed in the work area

(Description - Include Code Reference If Possible)

DISPOSITION

Action Taken: (Check if Applicable)

1. Warning

2. Fine

3. Administrative

Hearing

Amount

Date

Date Rec'd

To be Notified

L Stachurs

INSPECTOR/INVESTIGATOR SIGNATURE

Received:

Napchansynguyen

LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATURE

DATE

9-9-09

**Louisiana State Board of Cosmetology  
Inspection Report**

NO 149213

INSPECTOR Sy Kevin Stockton INSPECTOR'S DISTRICT 3 DATE 9-9-09  
 NAME OF SHOP La Nails OWNER-CO'S. LICENSE NO. L-770832683  
 SHOP OWNER Nguyen Ngoc Giang Thi LICENSE NO. \_\_\_\_\_  
 SHOP ADDRESS 16025 Buenside St #4 PHONE NO. (225) 644-2699  
 CITY Gonzales PARISH Assn STATE \_\_\_\_\_ ZIP 70731 TIME 135 210  
 MANAGER'S NAME \_\_\_\_\_ COS.-MANAGER'S LICENSE NO. \_\_\_\_\_  
 ASSISTANT MANAGER'S NAME (if required) \_\_\_\_\_ CO.-MANAGER'S LICENSE NO. \_\_\_\_\_  
 OWNER'S 19 10 REG. CERT. WITH PICTURE Yes POSTED Yes  
 MANAGER'S 19 \_\_\_\_\_ REG. CERT. WITH PICTURE Yes POSTED Yes  
 OPERATOR'S 19 09 REG. CERT. WITH PICTURE Yes POSTED Yes  
 DOES SHOP HAVE "LA ADMINISTRATIVE CODE, TITLE 46, PART XXXI, COSMETOLOGISTS" ON PREMISES Yes  
 DOES SHOP HAVE BLOOD SPILL KIT ON PREMISES Yes

MARK WITH A CHECK [✓] IF SATISFACTORY OR AN [X] IF UNSATISFACTORY

Sterilizers: Wet \_\_\_\_\_ Dry \_\_\_\_\_  
 Boiled towels in covered container: \_\_\_\_\_  
 Clean towels in enclosed cabinet: \_\_\_\_\_  
 Covered waste containers: \_\_\_\_\_  
 Shop well lighted \_\_\_\_\_ Well ventilated \_\_\_\_\_  
 Shampoo bowl connected with hot/cold water \_\_\_\_\_  
 Combs, brushes, rollers, implements, etc., clean and properly sterilized \_\_\_\_\_  
 Floors, wall, fixtures, work stations clean \_\_\_\_\_  
 Rest room clean and sanitary \_\_\_\_\_  
 Do you find this shop clean, orderly and sanitary \_\_\_\_\_

**MANICURING SALONS ONLY**

Adequate ventilation ✓ Well lighted ✓  
 Small manicuring sterilizer on each station ✓  
 Disinfectant solution, alcohol, etc., on each station ✓  
 All bottles labeled ✓  
 All implements clean, properly sterilized, and stored ✓  
 Cotton balls in covered containers ✓  
 Covered waste containers ✓  
 Clean towels in enclosed cabinet ✓  
 Towels changed on manicure table after each client ✓  
 Lavatory with hot \_\_\_\_\_ cold ✓ water ✓  
 Do you find this shop clean, orderly and sanitary ✓

ST OPERATOR'S NAMES AND CERTIFICATION NUMBERS:

Nguyen Lien T - L-860730909  
Nguyen Phuc C - L-610540919  
Nguyen Thien - L-888690825

REMARKS: Working equipments and supplies was displayed in the work area

Ngoc Giang Thi  
 SIGNATURE OF SHOP OWNER OR MANAGER



## State of Louisiana

Louisiana State Board of Cosmetology  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbclouisiana.gov](http://www.lsbclouisiana.gov)

Bobby Jindal  
Governor

Michael-John Gaspard, Chairman  
Metairie LA

Allen D. Crochet  
Westlake LA

Taquilla F. Hamilton  
Harvey LA

Carolyn L. Robicheaux  
Baldwin LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Vivian L. Glaze  
Pineville LA

Geneva L. Jones  
Benton LA

Aleshia J. Smith  
Hahnville LA

Stephen Young  
Assistant Director

*January 5*, 2010

Ngoc Trang Thi Nguyen  
13383 Old Dutchtown Avenue  
Gonzales, LA 70737

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Re: In The Matter Before the Louisiana State Board of Cosmetology; In The  
Matter of Ngoc Trang Thi Nguyen (Docket No. 10-010)

Dear Ms. Nguyen:

I wish to advise you that, pursuant to the provisions of LAC 46:XXX1.1301-1305 and La. R.S. 49:955, you are hereby notified that the Louisiana State Board of Cosmetology will hold an Administrative Hearing on February 1, 2010, at 9:00 o'clock a.m. at the office of Louisiana State Board of Cosmetology, 11622 Sunbelt Court, Baton Rouge, Louisiana 70809.

Enclosed please find the "Notice to Show Cause Why License Should Not Be Suspended or Revoked." The hearing will be held pursuant to the provisions of LAC 46:XXX1.1301-1305 and La. R.S. 49:961.

The purpose of the hearing is to consider testimony as to the allegations concerning your violations of statutes regulated by the Board. The specific allegations of misconduct are detailed in the enclosed Administrative Complaint.

We further advise you that these are serious charges and that you should consult an attorney.

If you feel that you will require the services of a language interpreter to participate in this hearing, please contact the Board's executive director immediately.

EXHIBIT

Board 2

January 5, 2010  
Page 2

If there are any questions regarding this matter, please contact the complaint counsel,  
Celia R. Cangelosi, P.O. Box 3036, Baton Rouge, LA 70821-3036, (225) 387-0511.

Very truly yours,

LOUISIANA STATE BOARD OF  
COSMETOLOGY

*Jackie Burdette*  
JACKIE BURDETTE, Executive Director

JB/tsc

Enclosures

cc: Celia R. Cangelosi, Complaint Counsel  
Sheri Morris, General Counsel

U.S. Postal Service <sup>TM</sup>	
<b>CERTIFIED MAIL<sup>TM</sup> RECEIPT</b>	
(Domestic Mail Only, No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total P	
Sent To <b>Ngoc Trang Thi Nguyen</b> <b>13383 Old Dutchtown Avenue</b> <b>Gonzales LA 70737</b>	
PS Form 3811, August 2006 See Reverse for Instructions	

599E 2950 4000 0522 6002

2. Article Number  
(Transfer from service label) **7009 2250 0004 0562 3665**  
PS Form 3811, February 2004 Domestic Return Receipt

Ngoc Trang Thi Nguyen  
13383 Old Dutchtown Avenue  
Gonzales LA 70737

1. Article Addressed to:

- SENDER: COMPLETE THIS SECTION**
- ☐ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
  - ☐ Print your name and address on the reverse so that we can return the card to you.
  - ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.  
4. Restricted Delivery? (Extra Fee) ☐ Yes

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☐ Agent  
*Ngoc Trang Thi Nguyen* ☐ Addressee  
B. Received by (Printed Name) ☐ Date of Delivery  
*Ngoc Trang Thi Nguyen* *1/5/10*

BEFORE THE  
LOUISIANA STATE BOARD OF COSMETOLOGY

----- :  
IN THE MATTER OF :  
NGOC TRANG THI NGUYEN :

(MANICURIST LICENSE No. :  
\*\*\*\*\*9357) :

DOCKET NO. 10- 010

----- :  
NOTICE TO SHOW CAUSE WHY  
LICENSE SHOULD NOT BE SUSPENDED OR REVOKED

In accordance with the provisions of the La R.S. 37:600 et seq., you are hereby notified to show cause before the Louisiana State Board of Cosmetology ("Board") on February 1, 2010, at 9:00 o'clock a.m., or such other time to which the hearing may be continued, at the office of the Louisiana State Board of Cosmetology, 11622 Sunbelt Court, Baton Rouge, Louisiana, why the license of NGOC TRANG THI NGUYEN, as a manicurist in the State of Louisiana, should not be suspended or revoked, or other action taken in accordance with law, for the reasons as set forth in the attached Administrative Complaint.

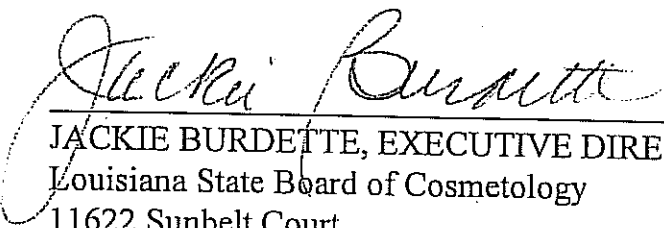
You are advised that you may appear in proper person or with counsel at this hearing which will be conducted under the provisions of La. R.S. 37:600 et seq.; La. R.S. 49:955 - 958; and LAC 46:XXX1.1301-1305. You or your counsel have the right to participate in this hearing and you may testify and may produce witnesses to testify in your behalf. Any

competent evidence you have in this matter may be offered by you or your counsel. A record of the testimony adduced will be made.

Please notify the Board as to whether you will attend the meeting and the name, address and telephone number of your legal counsel, if any. The Board's complaint counsel is listed below.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

  
JACKIE BURDETTE, EXECUTIVE DIRECTOR  
Louisiana State Board of Cosmetology  
11622 Sunbelt Court  
Baton Rouge, Louisiana 70809

**COMPLAINT COUNSEL:**

CELIA R. CANGELOSI  
918 Government St., Suite 101  
P.O. Box 3036  
Baton Rouge, LA 70821-3036  
PHONE: (225) 387-0511

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the above and foregoing Notice To Show Cause Why License Should Not Be Suspended or Revoked and annexed Administrative Complaint has been served on the individual designated above by first class mail and by certified mail, return receipt requested No. 7009 2250 0004 0562 3665

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

  
JACKIE BURDETTE, EXECUTIVE DIRECTOR

BEFORE THE  
LOUISIANA STATE BOARD OF COSMETOLOGY

IN THE MATTER OF  
NGOC TRANG THI NGUYEN  
  
(MANICURIST LICENSE No.  
\*\*\*\*\*9357)

DOCKET NO. 10-016

ADMINISTRATIVE COMPLAINT

Acting in her official capacity as Executive Director of the LOUISIANA STATE BOARD OF COSMETOLOGY (hereinafter "Board") with respect to the above-entitled matter, JACKIE BURDETTE, as complainant herein, through undersigned counsel, asserts the following Administrative Complaint against the named Respondent:

RESPONDENT

1. RESPONDENT, NGOC TRANG THI NGUYEN is and, at all times material to the facts and matters alleged herein, was the owner of the manicuring salon, LA NAILS, and at times was licensed as a manicurist in the state of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 et. seq., as evidenced by Manicurist License No. \*\*\*\*\*9357.

2. LA NAILS, located at 1502 S. Burnside Avenue, Suite A, Gonzales, LA 70737, was at all times material licensed as a manicuring salon in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 et seq., as evidenced by Manicuring Salon License No. \*\*\*\*\*9357-0.



### FACTS

3. On or about September 9, 2009, waxing equipment was present at the licensed premises indicating that waxing was being conducted on the licensed premises.
4. Waxing is not an activity lawfully conducted at a manicuring salon.

### VIOLATIONS

- Count 1 No person shall engage in the practice of cosmetology without obtaining a current certificate of registration for the appropriate area of practice under the provisions of this Chapter (La. R.S. 37:581A);
- Count 2 Engaging in unprofessional conduct is likely to endanger the health, safety and welfare of the public (La. R.S. 37:600(A)(3));
- Count 3 Violation of any provision of this Chapter (La. R.S. 37:600(A)(12)).

The activities of Respondent in allowing waxing to be conducted at the manicuring salon violate La. R.S. 37:581(A), La. R.S. 37:600(A)(3) and La. R.S. 37:600(A)(12); and constitute sufficient cause for the revocation and/or suspension or other sanction of the manicurist license of NGOC TRANG THI NGUYEN as a manicurist in the State of Louisiana.

WHEREFORE, Complainant prays that this Administrative Complaint be accepted for filing and docketed for hearing before the Board; and that, pursuant to the applicable provisions of the Louisiana Cosmetology Law, La. R.S. 37:561 et seq., and the Administrative Procedure Act, La. R.S. 49:955-58, and the Rules and Regulations adopted by this Board, LAC 46:XXX1.1301-1305, this matter be fixed for administrative evidentiary hearing before the Board; that notice of such hearing be duly served on Respondent, together with a copy of this within Administrative Complaint; and that, following due proceedings therein, the Board render a decision, upon written findings of fact and conclusions of law, revoking and/or suspending or otherwise sanctioning the manicurist license of Respondent, NGOC TRANG THI NGUYEN, in the State of Louisiana; and assessing a monetary

fine against Respondent of up to \$200.00 per violation, not to exceed \$5,000.00, and assessing against Respondent all costs of the investigation and these proceedings, including attorney's fees, all as provided by La. R.S. 37:600, et seq.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of January, 2010.

LOUISIANA STATE BOARD OF COSMETOLOGY

  
\_\_\_\_\_  
JACKIE BURDETTE, Executive Director

COMPLAINT COUNSEL:

CELIA R. CANGELOSI  
918 Government St.  
P.O. Box 3036  
Baton Rouge, LA 70821-3036  
PHONE: (225) 387-0511



Bobby Jindal  
Governor

## State of Louisiana

Louisiana State Board of Cosmetology  
11622 Sunbelt Court, Baton Rouge, LA 70809  
(225) 756-3404 Telephone - (225) 756-3410 Fax  
Web Address: [www.lsbclouisiana.gov](http://www.lsbclouisiana.gov)

Michael-John Gaspard, Chairman  
Metairie LA

Lynn Glaze  
Pineville LA

Michael P. Homing  
Franklinton LA

Sarah H. Kennison  
Lake Charles LA

Jackie Burdette  
Executive Director

Frances K. Hand, Vice-Chairman  
Denham Springs LA

Taquilla Hamilton  
Harvey LA

Geneva L. Jones  
Benton LA

Carolyn L. Robicheaux  
Baldwin LA

Stephen Young  
Assistant Director

November 24, 2009

CERTIFIED MAIL 7004 2890 0001 8059 5772

LA NAILS

1502 N. Burnside Avenue, Suite A  
Gonzales LA 70737

ATTN: Ngoc Trang Thi Nguyen, Owner

Dear Ngoc Trang Thi Nguyen:

Enclosed is a copy of the Consent Agreement approved by Louisiana State Board of Cosmetology at its meeting of November 16, 2009

Pursuant to the terms of this Consent Agreement, your license is on probation for the one year period beginning November 009 and ending November 16, 2010.

As a condition of probation you are required to do the following:

[1] LA NAILS must immediately cease and desist provide waxing service and/or having a waxing machine or supplies present at the licensed location;

[2] LA NAILS shall not violate or be found guilty of violation any state, local or federal laws or regulations, including but not limited to laws and regulations relation to manicuring salons; and

EXHIBIT

Board 3

November 24, 2009

Page 2

[3] LA NAILS shall post a copy of this Consent Agreement in a conspicuous place near the manicuring salon license; and

Should LA NAILS violate the terms and conditions of probation, the one year license suspension may be instituted.

Please do not hesitate to call if you have any questions.

Very truly yours,

A handwritten signature in cursive script, reading "Jackie Burdette". The signature is written in dark ink and is positioned above the printed name and title.

Jackie Burdette  
Executive Director

jb/db  
C. Celia Cangelois

LOUISIANA STATE BOARD OF COSMETOLOGY  
BATON ROUGE, LOUISIANA

IN THE MATTER OF

LA NAILS

CONSENT AGREEMENT

1502 N. Burnside Avenue, Suite A

Gonzales, LA 70737

(Manicuring Salon No. \*\*\*\*\*9357-0)

\*\*\*\*\*

CONSENT AGREEMENT

NOW COME NGOC TRANG THI NGUYEN, individually, and as owner of and doing business as LA NAILS, 1502 N. Burnside Avenue, Suite A, Gonzales, LA 70737 (Manicuring Salon No. \*\*\*\*\*9357-0), which manicuring salon is the license holder in the above styled and numbered matter; and the LOUISIANA STATE BOARD OF COSMETOLOGY (hereinafter "Board"), appearing through its Chairman, MICHAEL-JOHN GASPARD, who do respectfully submit the following:

1.

LA NAILS, the manicuring salon located at 1502 N. Burnside Avenue, Suite A, Gonzales, LA 70737, is and was, at all times material to the facts and matters alleged herein, owned by NGOC TRANG THI NGUYEN and licensed by the BOARD as a manicuring salon in the State of Louisiana, pursuant to the Louisiana Cosmetology Act, La. R.S. 37:561 et seq., as evidenced by Manicuring Salon License No. \*\*\*\*\*9357-0.

2.

On or about September 9, 2009, waxing equipment and supplies were present

indicating that waxing was being conducted in the salon of LA NAILS.

3.

Waxing is not an activity lawfully conducted at a manicuring salon.

4.

An informal hearing letter was mailed to LA NAILS in care of its owner, NGOC TRANG THI NGUYEN, on October 1, 2009.

5.

Prior to the filing of formal charges, NGOC TRANG THI NGUYEN, individually, and as owner of and doing business as LA NAILS, admitted the violations and expressed a desire to enter into a Consent Agreement to settle this matter against the manicuring salon.

6.

The LOUISIANA STATE BOARD OF COSMETOLOGY and NGOC TRANG THI NGUYEN, individually, and as owner of and doing business as LA NAILS, enter into this Consent Agreement, whereby NGOC TRANG THI NGUYEN, individually, and as owner of and doing business as LA NAILS, admits that the manicuring salon, LA NAILS, violated La. R.S. 37:600A(3), La. R.S. 37:600A(12) and La. R.S. 37:581A, in relation to the conducting of waxing at the licensed location on or about September 9, 2009; the license of LA NAILS will be suspended for a period of one year, the suspension will be suspended, and the license placed on probation for a one year period; and the Board assesses, and NGOC TRANG THI NGUYEN, individually, and as owner of and doing business as LA

NAILS, agrees to pay and does pay, on behalf of LA NAILS, a fine of \$200.00 and reimburses the Board costs of \$350.00, for total payment due the Board in the amount of \$550.00, said fine and costs to be paid simultaneously with the execution of this Consent Agreement by NGOC TRANG THI NGUYEN, individually, and as owner of and doing business as LA NAILS.

7.

More specifically, the parties hereto agree to be bound under the following:

- a. NGOC TRANG THI NGUYEN, individually, and as owner of and doing business as LA NAILS, admits that the manicuring salon LA NAILS has violated La. R.S. 37:600A(3), La. R.S. 37:600A(12) and La. R.S. 37:581A, in relation to the conducting of waxing at the licensed location on or about September 9, 2009;
- b. NGOC TRANG THI NGUYEN, individually, and as owner of and doing business as LA NAILS, agrees to pay and does pay, on behalf of LA NAILS, a fine of \$200.00 and reimburses the Board costs of \$350.00, for a total payment of \$550.00; and
- c. The license of LA NAILS (Manicuring Salon No. \*\*\*\*\*9357-0) is suspended for a period of one year, the suspension is suspended, and the license is placed on probation for a one year period, subject to the following terms and conditions:
  - [1] LA NAILS must immediately cease and desist providing waxing service and/or having a waxing machine or supplies present at the licensed location;
  - [2] LA NAILS shall not violate or be found guilty of violating any state, local or federal laws or regulations, including but not limited to laws and regulations relating to manicuring salons; and

[3] LA NAILS shall post a copy of this Consent Agreement in a conspicuous place near the manicuring salon license; and

- d. Should LA NAILS violate the terms and conditions of probation, the one year license suspension may be instituted.

8.

NGOC TRANG THI NGUYEN, individually, and as owner of and doing business as LA NAILS, waives:

- (a) Any further procedural steps required by the Louisiana Administrative Procedure Act (La. R.S. 49:950 et seq.), Louisiana Cosmetology Law (La. R.S. 37:561 et seq.), and any other applicable laws; and
- (b) All rights to seek judicial review or otherwise challenge or contest the validity of this Consent Agreement, the charges and/or allegations contained herein, or the terms of the agreed settlement.

9.

Should LA NAILS fail to comply with the terms of this Agreement, its license shall be subject to revocation by the Board.

10.

NGOC TRANG THI NGUYEN, owner, acting individually and on behalf of LA NAILS, acknowledges that she has fully read this Agreement and that she fully understands all the terms, conditions, dispositions and sanctions included herein. Moreover, NGOC TRANG THI NGUYEN, owner, acting individually and on behalf of LA NAILS, does further acknowledge that she does enter into this Agreement based on her full understanding and acceptance of all terms and conditions hereof as her free act and deed.



11.

Both parties waive compliance with La. R.S. 49:958.

12.

This agreement will become effective on the date that it is officially approved at a formal meeting of the Board.

I, NGOC TRANG THI NGUYEN, owner, acting individually and on behalf of LA NAILS, understand that this Consent Agreement is effective upon affirmative vote by the Board at formal hearing. It is also understood that should the Board not approve the Consent Agreement, the agreement thereon does not preclude the Louisiana State Board of Cosmetology from requiring a formal hearing of the case. It is further understood that, should this Consent Agreement not be accepted by the Board, the presentation to and consideration by the Board of this Consent Agreement, including presented documentary evidence and information, shall not unfairly or illegally prejudice or preclude the Board or any of its members from further participation in hearings or resolution of these proceedings.

WHEREFORE, the below signed parties agree that this agreement is binding on all parties hereto.

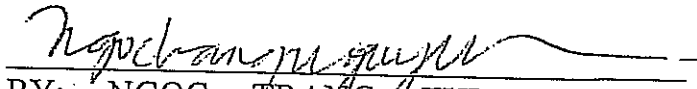
THIS DONE AND SIGNED, this 2<sup>nd</sup> day of Nov., 2009.

LA NAILS

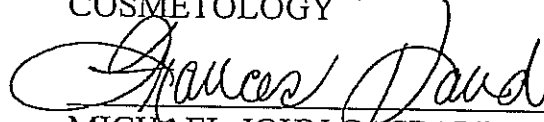
(Manicuring Salon No. \*\*\*\*\*9357-0)

1502 N. Burnside Avenue, Suite A

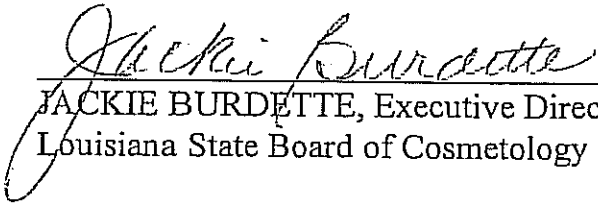
Gonzales, LA 70737

  
BY: NGOC TRANG THI NGUYEN,  
Individually, and as Owner of and Doing  
Business as LA NAILS

LOUISIANA STATE BOARD OF  
COSMETOLOGY

  
MICHAEL-JOHN GASPARD, Chairman

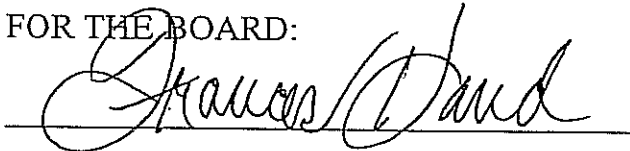
Approved and Submitted For  
Board Approval By:

  
JACKIE BURDETTE, Executive Director  
Louisiana State Board of Cosmetology

ACCEPTANCE OF THE CONSENT AGREEMENT BY THE LOUISIANA STATE  
BOARD OF COSMETOLOGY

By a majority vote of the Board members voting in favor of the foregoing  
Consent Agreement at the Board meeting on November 16, 2009,  
the Board hereby adopts said Agreement.

FOR THE BOARD:



7004 2890 0001 8059 5772

US Postal Service  
CERTIFIED MAIL RECEIPT

(Domestic Mail Only, No Insurance Coverage Provided)

OFFICIAL USE

Postage \$  
Certified Fee  
Return Receipt Fee  
(Endorsement Required)  
Restricted Delivery Fee  
(Endorsement Required)

Postmark  
Here

Total P

LA Nails

Sent To  
1502 S. Burnside Avenue, Suite A  
Gonzales LA 70737  
Street, Apt  
or PO Box  
City, State

## Louisiana State Board of Cosmetology

(225) 756-3404

## NOTICE OF VIOLATION

ISSUE DATE

MO. 9 DAY 9 YR. 09

NAME OF LICENSEE/SHOP/SCHOOL OWNER

La. Nails

ADDRESS

1602 S Burnside St<sup>A</sup>

LICENSE OR PERMIT #

L-770832683

VIOLATION

Starting equipments and supplies  
was displayed in the work area

(Description - Include Code Reference If Possible)

## DISPOSITION

Action Taken: (Check if Applicable)

1. Warning

2. Fine

3. Administrative

Hearing

Amount

Date Rec'd

Date

To be Notified

S Stachler

INSPECTOR/INVESTIGATOR SIGNATURE

Received:

Ngoc Tran Nguyen

LICENSEE/SALON/SCHOOL REPRESENTATIVE SIGNATURE

DATE

9-9-09

Louisiana State Board of Cosmetology  
Inspection Report

NO 149213

INSPECTOR Sy Hennie Stockstop INSPECTOR'S DISTRICT 3 DATE 9-9-09  
NAME OF SHOP La Nails OWNER-CO'S. LICENSE NO. L-770832683  
SHOP OWNER Nguyen Ngoc Giangchi LICENSE NO. \_\_\_\_\_  
SHOP ADDRESS 16025 Buenside St #4 PHONE NO. (225) 6442689  
CITY Monroe PARISH Assn STATE LA ZIP 70131 TIME 135 210  
MANAGER'S NAME \_\_\_\_\_ COS.-MANAGER'S LICENSE NO. \_\_\_\_\_  
ASSISTANT MANAGER'S NAME (if required) \_\_\_\_\_ CO.-MANAGER'S LICENSE NO. \_\_\_\_\_  
IS OWNER'S 19 10 REG. CERT. WITH PICTURE Yes POSTED Yes  
IS MANAGER'S 19 \_\_\_\_\_ REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO POSTED \_\_\_\_\_ YES OR NO  
ARE OPERATOR'S 19 09 REG. CERT. WITH PICTURE \_\_\_\_\_ YES OR NO POSTED \_\_\_\_\_ YES OR NO  
DOES SHOP HAVE "LA ADMINISTRATIVE CODE, TITLE 46, PART XXXI, COSMETOLOGISTS" ON PREMISES Yes  
DOES SHOP HAVE BLOOD SPILL KIT ON PREMISES Yes

MARK WITH A CHECK [✓] IF SATISFACTORY OR AN [X] IF UNSATISFACTORY

Sterilizers: Wet \_\_\_\_\_ Dry \_\_\_\_\_  
Soiled towels in covered container: \_\_\_\_\_  
Clean towels in enclosed cabinet: \_\_\_\_\_  
Covered waste containers: \_\_\_\_\_  
Shop well lighted \_\_\_\_\_ Well ventilated \_\_\_\_\_  
Shampoo bowl connected with hot/cold water \_\_\_\_\_  
Combs, brushes, rollers, implements, etc., clean and properly sterilized \_\_\_\_\_  
Floors, wall, fixtures, work stations clean \_\_\_\_\_  
Rest room clean and sanitary \_\_\_\_\_  
Do you find this shop clean, orderly and sanitary \_\_\_\_\_

MANICURING SALONS ONLY

Adequate ventilation ✓ Well lighted ✓  
Small manicuring sterilizer on each station ✓  
Disinfectant solution, alcohol, etc., on each station ✓  
All bottles labeled ✓  
All implements clean, properly sterilized, and stored ✓  
Cotton balls in covered containers \_\_\_\_\_  
Covered waste containers ✓  
Clean towels in enclosed cabinet ✓  
Towels changed on manicure table after each client ✓  
Lavatory with hot \_\_\_\_\_ cold \_\_\_\_\_ water ✓  
Do you find this shop clean, orderly and sanitary ✓

LIST OPERATOR'S NAMES AND CERTIFICATION NUMBERS:

Nguyen Lien T - L-860730909  
Nguyen Phuoc C - L-610540919  
Vo Lien - L-888590825

REMARKS: Waiting equipments and supplies was displayed in the work area

Ngoc Giangchi  
SIGNATURE OF SHOP OWNER OR MANAGER

# Consent Agreements



## CONSENT AGREEMENTS

February 1, 2010

---

### **FINEST NAILS**

11453 Florida Blvd.

Baton Rouge LA

Unlicensed individual working as manicurist

One year probation

\$200 fine, Board Costs \$350, one year probation fee of \$400 = \$950

### **HA NGUYEN, Owner**

11453 Florida Blvd.

Baton Rouge LA

Unlicensed individual working as manicurist

One year probation

\$200 fine, Board Costs \$350, one year probation fee of \$300 = \$850

---

### **NATURAL NAILS**

1002 Hopkins Street, #B

New Iberia LA 70560

Unlicensed individual working as manicurist

One year probation

\$200 fine, Board Costs \$350, one year probation fee of \$400 = \$950

### **SON T. LUONG**

1002 Hopkins Street, #B

New Iberia LA 70560

Unlicensed individual working as manicurist

One year probation

\$200 fine, Board Costs \$350, one year probation fee of \$300 = \$850

---



\*\*\*\*\*

**TIP N TOES SKIN CARE**

**4770 Plank Road**

**Baton Rouge LA**

**Manicurist performing waxing at the licensed location**

**One year probation**

**\$200 fine, Board Costs \$350, one year probation fee of \$400 = \$950**

**MAI T. PHAN**

**4770 Plank Road**

**Baton Rouge LA**

**Manicurist performing waxing at the licensed location**

**One year probation**

**\$200 fine, Board Costs \$350, one year probation fee of \$400 = \$850**

\*\*\*\*\*

**SOLAR NAILS**

**1295 N. Sherwood Forest, Suite Q**

**Baton Rouge LA 70560**

**Unlicensed individual working as manicurist**

**One year probation**

**\$200 fine, Board Costs \$350, one year probation fee of \$400 = \$950**

**KIM-OANH T. VU**

**253 Longbow Drive**

**Baton Rouge LA Unlicensed individual working as manicurist**

**One year probation**

**\$200 fine, Board Costs \$350, one year probation fee of \$300 = \$850**

.....

\*\*\*\*\*

**ART NAILS**  
**1850 Forsythe Avenue**  
**Monroe LA 71201**  
**Use of credo blades at the licensed location**  
**One year probation**  
**\$200 fine, Board Costs \$350, one year probation fee of \$400 = \$950**

**TIEN A. PHAM**  
**1850 Forsythe Avenue**  
**Monroe LA 71201**  
**Use of credo blades at the licensed location**  
**One Year Probation**  
**\$200 Fine, Board Costs \$350, one probation fee of \$300 = \$850**

.....

**L.E. GINA SALON**  
**11252 Florida Blvd.**  
**Baton Rouge LA**  
**Unlicensed individual working as a cosmetologist**  
**One Year Probation**  
**\$200 Fine, Board Costs \$350 and One Year Probation fee of \$400 = \$950**

**REGINA G. CISNEROS**  
**11252 Florida Blvd.**  
**Baton Rouge LA**  
**Unlicensed individual working as a cosmetologist**  
**One Year Probation**  
**\$200 Fine, Board Costs \$350 and One Year Probation fee of \$300 = \$850**

\*\*\*\*\*  
.....

**LOVELY NAILS**  
**3050 Government Street**  
**Baton Rouge, LA 70806**  
**Manicurist performing waxing at the licensed location**  
**One year probation**  
**\$200 fine, Board Costs \$350, one year probation fee of \$400 = \$950**

**LIEN T. NGUYEN**  
**3050 Government Street**  
**Baton Rouge, LA 70806**  
**Manicurist performing waxing at the licensed location**  
**One year probation**  
**\$200 fine, Board Costs \$350, one year probation fee of \$300 = \$850**

# Consent Agreements

A Nails  
and  
Dung Q. Ho



**Consent Agreements**  
**February 1, 2010**

.....

**A NAILS**  
**1619 N. 18<sup>TH</sup> Street**  
**Monroe, LA 71201**  
**Unlicensed individual working as a manicurist**  
**One year probation**  
**\$200 fine, Board Costs \$500, one year probation fee of \$400 = \$1,100**

**DUNG Q. HO**  
**1619 N. 18<sup>th</sup> Street**  
**Monroe, LA 71201**  
**Unlicensed individual working as a manicurist**  
**One year probation**  
**\$200 fine, Board Costs \$500, one year probation fee of \$300 = \$1,000**



# Consent Agreement

Chantal's Braiding





**Consent Agreement**  
**February 1, 2010**

.....

**CHANTAL'S BRAIDING**

**3409 Ryan Street**

**Lake Charles, LA 70605**

**Three unlicensed individuals working as alternative hair designers or cosmetologists**

**One year probation**

**\$600 fine, Board Costs \$500, one year probation fee of \$400 = \$1,500**



# Executive Director's Report

February 1, 2010



LOUISIANA COSMETOLOGY BOARD  
CALCULATION OF FUND BALANCE BY MONTH  
JULY, 2009 THROUGH JUNE, 2010

DESCRIPTION	JUL 2009*	AUG 2009	SEPT 2009	OCT 2009	NOV 2009	DEC 2009
Revenue Received and Classified (per 2G15)	2,639,098	1,829,149	1,829,149	2,295,681	1,935,960	1,829,149
Less: Warrants Drawn (per 2G15)	(1,796,145)	(276,441)	(428,441)	(1,127,415)	(1,207,615)	(2,425,037)
Cash in MOF	842,953	1,552,708	1,400,708	1,168,266	728,345	(595,888)
Less: Encumbrances (per 2G15)	(115,942)	(173,066)	(154,146)	(126,846)	(110,419)	(80,540)
Plus: Operating Cash Balance (per 2G18)	56,324	16,443	32,288	531,103	5,091	1,495,828
Less: Accounts Payable (per 2G18)	(37,091)	(3,725)	(957)	(109,154)	(849)	(2,270)
Less: Retainage Payable (per 2G18)	0	0	0	0	0	0
Fund Balance	746,245	1,392,359	1,277,893	1,463,369	622,168	817,130

\* Includes both FY'09 & '10

**NOTE:** The fund balance does not include any receipts which were unclassified at the close of the month.



**REVENUE COMPARISON REPORT**  
**July 2008 – December 2008 / July 2009 – December 2009**

Revenue Category	July 2008 – Dec. 2008	July 2009 – Dec. 2009	\$ Difference	% Difference
Individual License Renewals (Cosmetologist, Manicurist, Estheticians, Instructors)	\$489,872.59	\$500,402.74	+\$10,530.15	+02.15%
Initial License for Individuals (Cosmetology, Manicurists, Estheticians, Instructors)	\$16,085.00	\$17,425.00	+\$1,340.00	+08.33%
Renewals for Cosmetology Facilities (Salon/Schools/Boothrental, Manager)	\$77,509.82	\$71,285.00	-\$6,224.82	-08.73%
Initial Cosmetology Facility Licenses (Salon/Schools/Boothrental, Manager)	\$21,565.00	\$21,995.00	+\$430.00	+01.99%
Registrations	\$13,975.00	\$16,460.00	+\$2,485.00	+17.78%
Exam Fees	\$71,925.00	\$81,425.00	+\$9,500.00	+13.21%
Violations/Fines	\$32,778.25	\$40,340.00	+\$7,561.75	+23.07%
Miscellaneous Fees (Refunds, NSF's, Lists of Licenses)	\$11,127.95	\$8,026.10	-\$3,101.85	-38.65%
<b>TOTALS</b>	\$734,838.61	\$757,358.84	+\$22,520.23	+03.06%



**REVENUE COMPARISON REPORT**  
**December 2008 / December 2009**

Revenue Category	December 2008	December 2009	\$ Difference	% Difference
Individual License Renewals (Cosmetologist, Manicurist, Estheticians, Instructors)	\$81,266.00	\$82,969.00	+\$1,703.00	+02.10%
Initial License for Individuals (Cosmetology, Manicurists, Estheticians, Instructors)	\$2,600.00	\$2,100.00	-\$500.00	-23.81%
Renewals for Cosmetology Facilities (Salon/Schools/Boothrental, Manager)	\$41,544.82	\$34,555.00	-\$6,989.82	-20.23%
Initial Cosmetology Facility Licenses (Salon/Schools/Boothrental, Manager)	\$2,325.00	\$2,135.00	-\$190.00	-08.90%
Registrations	\$1,875.00	\$3,210.00	+\$1,335.00	+71.20%
Exam Fees	\$12,250.00	\$12,675.00	+\$425.00	+03.47%
Violations/Fines	\$1,195.00	\$3,475.00	+\$2,280.00	+190.79%
Miscellaneous Fees (Refunds, NSF's, Lists of Licenses)	\$1,619.00	\$1,626.70	+\$7.70	+00.48%
<b>TOTALS</b>	<b>\$144,674.82</b>	<b>\$142,745.70</b>	<b>-\$1,929.12</b>	<b>-01.35%</b>

# Authority



**RESOLUTION OF THE  
LOUISIANA STATE BOARD OF COSMETOLOGY**


WHEREAS, La. R.S. 37:575(B)(7) provides that the Louisiana State Board of Cosmetology ("Board") may employ or contract for inspectors, clerical help, legal assistance, and other personnel necessary for the proper operation of the board office and for any other purpose under the Louisiana Cosmetology Act, La. R.S. 37:561 through La. R.S. 37:607; and

WHEREAS, the Board employs an Assistant Executive Director whose duties include management of the Board's finances; and

WHEREAS, the Board has authorized the creation of an accounting position to be supervised by the Assistant Executive Director;

BE IT FURTHER RESOLVED, that Stephen M. Young, Assistant Executive Director, is hereby authorized to execute any and all documents necessary to manage the Board's finances including approval of time and attendance records, all expenditures, requests for reimbursement for travel and per diem of personnel, Board members and test team members, in accordance with all applicable laws and rules and regulations; and

BE IT FURTHER RESOLVED, that Stephen M. Young, is hereby authorized to execute any and all documents necessary to establish an accounting position, advertise the vacant position, interview candidates and to recommend individuals to be considered for employment.

  
\_\_\_\_\_  
Frances Hand, Vice-Chair

**CERTIFICATION**

The above and foregoing Resolution was moved, seconded and duly adopted at a regular meeting of the Louisiana State Board of Cosmetology, properly called, noticed and held on Monday, February 1, 2010.

  
\_\_\_\_\_  
Debry Blanchard, Secretary



# Annual Maintenance Contracts



## Cosmetology

Contract type	Status	FY09 PO#	Vendor Name	Renew - Bid - Cancel	FY09-10 Contract Amt.	Doc	Req #	Sol #	FY10 PO#	Vendor Name
Air/Heat Units	N/A	3348468	AAA Air Conditioning		\$ 500.00	DPA			3484296	AAA Air Conditioning
Aircard (Inspector)	N/A	3325791	Verizon		\$ 614.28	CRO			3488668	Verizon
Aircard (Burdette & Young)	N/A	3325791	Verizon		\$ 614.28	CRO			3488668	Verizon
Cellular (Burdette & Young)	N/A	3326699	AT&T		\$ 1169.77	CRO			3488604	AT&T
Copier Rental	N/A	3301954	Kyocera		\$ 4817.16	CRO			3446611	Kyocera
Copier Rental	N/A	3301949	Kyocera		\$ 3237.86	CRO			3481074	Kyocera
Electrical Maint.	N/A	3345247	Armco		\$ 500.00	DPA			3511379	Armco
Exam & Testing Grading	2 of 3	3326001	Natl Interstate Council		\$42610.00	POR	1322830	2232849	3446019	Natl Interstate Council
Gounds Maint.	3 of 3	3310846	Grass Unlimited		\$ 2400.00	POR			3466346	Grass Unlimited
Hdw/Strvr Maint.	N/A	3335397	Technology Engineers		\$45125.00	DPA			3484308	Technology Engineers
Janitorial	2 of 3	3314005	TLG Janitorial		\$ 7200.00	POR	1322831	2232780	3445004	TLG Janitorial
Mail Opener Rental	N/A	3335843	Pinney Bowes		\$ 1248.00	CRO			3451355	Pinney Bowes
Pest Control	N/A	3345265	La Pest Control		\$ 240.00	DPA			3484298	La Pest Control
Printer Maint. (Canon)	N/A	3316656	Specialty Underwriters		\$ 520.01	CRO			3460292	Specialty Underwriters
Security System	3 of 3	3342329	Allied Systems		\$ 1008.00	APQ	1322982	2232818	3445593	Allied Systems
Telephone Maint.	N/A	3348176	Preferred Telephone		\$ 665.41	CRO			3446620	Preferred Telephone
Termite Control	N/A	3345266	La Pest Control		\$ 150.00	DPA			3484299	La Pest Control
Waste Disposal	3 of 3	3301394	BFI		\$ 734.40	APQ			3495225	BFI
Web Hosting	N/A	3311179	Technology Engineers		\$ 300.00	DPA			3450661	Technology Engineers





LSBC

Exemption

to

PPM49

Travel

Regulations



ROEDEL PARSONS KOCH  
BLACHE BALHOFF McCOLLISTER

A LAW CORPORATION

DALE N. ATKINS  
JUDITH R. ATKINSON  
THOMAS E. BALHOFF  
CECIL J. BLACHE  
CORINNE M. BLACHE  
ANDRÉ G. BOURGEOIS  
BRENT J. BOURGEOIS

RYAN R. BROWN  
THOMAS J. CAPELLA  
ROSS A. DOOLEY  
TERRY T. DUNLEVY  
DAVID H. HARDY  
BEN R. HUNTER  
CARLTON JONES, III

GAVLE T. KELLNER  
IC. SCOTT KIRKPATRICK  
JOHN D. KOCH  
MICHAEL R. MANGHAM  
STEPHEN G. MCCOLLISTER  
SHEU M. MORRIS  
J. KENTON PARSONS

CHRISTINA B. PECK  
LUKE K. PIONTEK  
CHRISTIAN J. RHODES  
LARRY M. ROEDEL  
DON R. SCHNEIDER  
DAVID A. WOOLRIDGE, JR.  
JOSHUA B. ZELDEN

WRITER'S EMAIL:  
SMorris@RoeDelParsons.com

January 15, 2010

VIA E-MAIL and HAND DELIVERY

Angele Davis, Commissioner of Administration  
Claiborne Building  
1201 N. Third Street  
Baton Rouge, LA 70802

APPROVED  
DIVISION OF ADMINISTRATION  
ANGELE DAVIS  
COMMISSIONER OF ADMINISTRATION

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

*Angele Davis*  
*1/22/10*

RE: Request for Exemption from PPM-49

Dear Commissioner Davis:

I represent the Louisiana State Board of Cosmetology ("Cosmetology Board") and have been requested to seek an exemption of the provisions of PPM-49 Travel Policy 2009/10 which would require Cosmetology Board inspectors to rent vehicles under the new State Motor Pool Rental Contract for Business Travel in excess of 99 miles per day.

The Cosmetology Board is a self-funded agency which has no state-owned vehicles. The Cosmetology Board employs inspectors whose domiciles are their residences and who use their personal vehicles for business travel. The inspectors' duties include inspecting the approximately 8,000 cosmetology salons and schools licensed by the Cosmetology Board and investigating complaints regarding licensed salons and schools and facilities operating without appropriate licensure.

Inspectors are required to inspect an average of ten facilities four days per week within their assigned territories. Enclosed please find a map of the territories showing the inspectors' domiciles together with a listing of the parishes for each of the eleven territories established by the Cosmetology Board. As you can see, the inspectors must routinely travel in excess of 99 miles per day.

The Cosmetology Board's staff has determined that compliance with the PPM-49 will increase expenses and will negatively impact the Cosmetology Board's ability to comply with the legal requirement of inspecting each licensed facility at least twice per year.